



University of  
New Hampshire  
Library









JOURNAL  
OF THE  
HOUSE OF REPRESENTATIVES  
JANUARY SESSION OF 1969

725

0

27

412

26

145

21

444

323

1532

1532

144

144

144

144

144

EVANS PRINTING COMPANY, CONCORD, N. H.



*Wednesday, January 1, 1969*

The House met at 11:00 o'clock.

On the first Wednesday in January in the year of our Lord, one thousand nine hundred and sixty nine, being the day designated by the Constitution for assembling of that body, the one hundred and forty first General Court of the State of New Hampshire convened at the Capitol in the City of Concord, and the representatives elect were called to order by Francis W. Tolman, Clerk of the House for the preceding session.

Prayer was offered by Guest Chaplain William H. Crouch of Concord.

This is the day that the Lord hath made: we will rejoice and be glad in it. O God, who makest all things new, help us to see the opening of this General Court as a new venture of faith in our peoples' government. Knowing that we have never passed this way before, grant us thy graceful newness in all our actions that we may be true to ourselves and honourable to those we represent. Keep our minds big enough to see new horizons and new ways, yet narrow enough to keep out petty thoughts and selfish desires. Bless this State of New Hampshire. Consecrate our hearts, our minds, our hands and our voices that they may be the very instruments of that blessing: through Jesus Christ our Lord. Amen.

#### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Donald Welch led the House in the Pledge of Allegiance to the Flag.

The Clerk called the roll and 373 members-elect having answered the roll the clerk declared a quorum present.

Rep. George Roberts offered the following resolution:

#### RESOLUTION

Resolved that a committee of three be appointed by the Clerk to wait upon His Excellency the Governor and inform him that a quorum of the House is assembled and requests his attendance.

The resolution was adopted and the Clerk appointed Reps. Sheldon L. Barker, Ratoff and Dearborn to wait upon His Excellency the Governor and inform him that a quorum of the House is assembled and requests his attendance.

## RECESS

His Excellency, the Governor, having been informed that a quorum of the House was assembled, appeared, accompanied by the Honorable Council, and the following named ladies and gentlemen, having presented their credentials, were duly qualified by his Excellency as members of the House of Representatives by taking and subscribing to the oath of office agreeably to the provisions of the Constitution.

## ROLL CALL

373

BELKNAP COUNTY: Urie, Allan, Stuart B., Lawton, Roberts, Charles B., Randall, Earle F., Wuelper, Roberts, George B., Mutzbauer, deBlois, Martin, Dearborn, Head, Prescott, Foster, Claude W., Stafford.

CARROLL COUNTY: Howard, Donalda K., Cox, Roberts, Milburn F., Remick, Davis, Dorothy W., Hickey, Chase, Russell C., Claflin, Fox.

CHESHIRE COUNTY: Ballam, Johnson, Edward A., Churchill, Forbes, Trowbridge, Danielchik, Austin, Cournoyer, McGinness, Allen, James F., Bennett, Jennie B., Dunham, Hackler, Thompson, Willard L., O'Neil, Raymond, Pollock, Saunders, Callahan, Heald, Cleon E., MacKenzie, Walker, Barker, Sheldon L., Drew, Harold F.

COOS COUNTY: Huggins, Noyes, Bushey, Hunt, Manning, A. George, Drake, Shute, Burns, O'Hara, Oleson, Dubey, Fortier, Desilets, Studd, York, Elmer H., Brungot, Lemire, McCuin, Gagnon, Parent, Theriault, Richardson, Mabel L.

GRAFTON COUNTY: Gardner, Van H., Rich, Stevenson, Tilton, Higgins, McGee, Brummer, Chamberlin, Bennett, Phil A., McMeekin, Anderson, Fayne E., Park, Johnson, William R., Smith, Manson B., Dow, Foster, Carl P., Duhaime, Roger M., Tremblay, Merrill, Dudley, Ellms, Blain, Buckman, Bell, Sears, Karsten, Mitchell.



HILLSBOROUGH COUNTY: Aucella, Eaton, Sterling, Sawyer, Brown, Knight, Poehlman, Vallee, Weilbrenner, Nixon, Daloz, Mann, Murray, Karnis, Fortin, Heald, Philip C., Jr., Warren, Carter, Coburn, Ferguson, Bragdon, Spalding, Kenneth W., Bridges, Brocklebank, Bouchard, Barker, Helen A., Record, Cobleigh, Belcourt, Lesage, Cote, Peter R., Desmarais, Lachance, Poliquin, Chamard, Cote, Margaret S., Aubut, Boisvert, Ralph W., Boisvert, Wilfred A., Dubois, Sirois, Bissonnette, Latour, Coutermarsh, Bednar, Lynch, Keeney, Cares, Peabody, Arthur H., Watson, Goode, Loxton, Vanloan, Carmen, Carrier, Lang, Milne, Soucy, Zachos, Montplaisir, Murphy, Francis, Nyberg, Roy, Antoinette B., Bruton, Cote, Joseph, Dion, Leo L., Duhaime, Armand L., Cullity, McDermott, Welch, John L., Manning, Thomas E., Walsh, Edward J., Barrett, Casey, Clancy, Healy, Lomazzo, LaFrance, Leclerc, Thibeault, Campono, Champagne, Chevrette, Delisle, Derome, Raiche, Walsh, Michael P., Belanger, O'Connor, James P., Sweeney, Clear, Nourie, Storm, Nalette, Allard, Lambert, Lavallee, Lesmerises, Rousseau, Hector J., Burke, Grady, McGrail, Vachon.

MERRIMACK COUNTY: Andrews, Sherman, Bigelow, Reed, Irene L., Gile, Reddy, Hanson, Beauchesne, Enright, Gamache, Goff, Robinson, Bartlett, Avery, Mousseau, Kopperl, Bent, Burleigh, Dempsey, Gilman, Greeley, LaRoche, Mattice, Welch, Alfred E., Michels, Cate, York, Edward H., Davis, Alice, Henry, Cheney, Charles H., Sr., McLane, Phillips, Horan, Smith, Roger A., Andersen, Chris K., Howland, MacDonald, Sanders, Fuller, Glavin, Howard, C. Edwin, Newell, Chase, Lila S., Welch, Donald J., Tarr.

ROCKINGHAM COUNTY: Fernald, Stimmell, Griffin, Hall, Ormiston, Adams, Gay, Kimball, Read, Maurice W., Senter, DeCesare, Gelt, Morrill, Morrison, Marden, Sayer, Palmer, Schwaner, Spollett, Cummings, Greenwood, Underwood, Hoar, Sewall, Twardus, Scamman, Collishaw, Eastman, Gage, Jenkins, Varrill, Hamel, Randall, Anthony T., Cheney, George L., Fiske, Casassa, Ratoff, Shindledecker, Leavitt, Greene, Hammond, Lockhart, Weeks, Keefe, Maynard, McEachern, Archie D., Bowles, Dorley, Quirk, Dame, McEachern, Joseph A., Osborn, Jameson, White, Julia H., Coussoule, Splaine, Croft.

STRAFFORD COUNTY: Dawson, Canney, Drew, Robert B., Tebbetts, Morrow, Clark, Shirley M., Cochrane, Shirley, Tirrell, Maloomian, Habel, Chasse, Hebert, Boire, Dumais, Rolfe,

Berkey, Thompson, Barbara C., Hussey, Vickery, Beaudoin, Levesque, Preston, Smith, Richard L., Clement, Tripp, Leighton, Pray, Bernard, Webber, Fellows, Murphy, Peter J., Young, Kinney, Parnagian, Richardson, Harriett W. B., Torr, Maglaras.

SULLIVAN COUNTY: Logan, Mackintosh, Gaffney, Rousseau, Omar A., Angus, Spaulding, Roma A., Barrows, Hamilton, Coggeshall, Downing, Saggiotes, Tracey, Frizzell, Galbraith, Merrifield, Williamson.

\* \* \*

His Excellency, John W. King addressed the House as follows:

#### EXAUGURAL ADDRESS

I had not expected to deliver any formal exaugural and, in the traditional sense, these informal remarks may not fit the pattern. Too frequently, an exaugural is used as an opportunity to parade a history of accomplishments or to attack programs or news media or individuals. I shall spare you that ordeal of words as few people are either influenced or more than passingly interested in an exaugural.

Upon reconsideration, I thought it improper and discourteous not to utilize this occasion to thank members of this house for their gracious and sincere kindness to me over the last twelve years. This includes Democrats and Republicans, and Independents and those who defy classification. It provides me the opportunity to publicly thank our congressional delegates, senators and representatives alike for their cooperation in protecting and promoting the interests of our state, and, finally, to thank our state employees, classified and unclassified, for their advice and help.

I compliment the efforts of the legislature in its attempts to improve the role and efficiency of the legislature to fit the needs of modern government. It is a laudable objective but it must be fair and constructive or its boomerang may be harmful for years to come. Some say that the emergence of a stronger legislature would not have happened without a legislature and



executive of different political affiliations, but I do not think so. I think it just speeded up the process.

I would urge you to support legal and political efforts to elect governors for a term of four years, effective sometime at a future date: possibly with restrictions on successive terms.

The failure to give a governor a line item veto has wasted hundreds of thousands of dollars in this state, I would urge this authority be given to the governor with the overriding of such veto requiring either a two-thirds vote or any lesser percentage even to a mere majority.

In a government system where department and local units of government and all having a demand on the public treasury submit preposterous budgets, each clamoring in a reasonable and legal and documented presentation for a disproportionate share of the state tax money, I believe that even after the budget has become law, the governor should have the authority without executive council or legislative committee interference, to reduce, but not increase, the amount of appropriation in any department of government. If the governor does not enjoy this fiscal authority, then you can be sure that the spiraling costs of government will continue to grow and grow and grow.

Like all governors I have known, I feel that appointments should be the sole prerogative of the governor, in the long run this may not lead to perfection but it will place the responsibility where it should be. The executive council, which admittedly lacks any lobby in the legislature and whose case is never adequately presented, should be modernized and improved, taken off a per diem payment of services, and be given an authority and salary commensurate with its expanded functions.

For one who declined to give a formal exaugural, I think I may sound like the Mad Hatter in Alice's Adventures in Wonderland, so without overstaying my visit with you, let me again congratulate the veteran legislators on their re-election and welcome the new members with their enthusiasm and freshness. The new members will enrich the legislative process and membership in the General Court will enrich the lives of the new members, for I have never met any man or woman who regretted the time and experience gained by membership in this body.

I thank you.

Rep. Trowbridge nominated Rep. McMeekin for temporary presiding officer.

Rep. MacKenzie seconded the nomination.

Rep. Drake moved that the nominations be closed and the Clerk be instructed to cast 1 ballot for Rep. McMeekin as temporary presiding officer.

The Clerk cast one ballot and Rep. McMeekin was elected temporary presiding officer.

Reps. Spollett and Eaton escorted Rep. McMeekin to the Chair.

(Rep. McMeekin in the Chair)

On motion of Rep. Bigelow the nominations for Speaker were in order.

Rep. Stevenson nominated Rep. Cobleigh for Speaker, seconded by Reps. O'Neil and Weeks.

Rep. Coutermarsh nominated Rep. Raiche for Speaker.

Reps. Cares and Maloomian seconded the nomination.

Rep. Logan moved that the nominations for Speaker be closed.

Motion adopted.

Rep. Raiche withdrew his candidacy and moved that the Clerk cast 1 ballot for Rep. Cobleigh for Speaker.

Motion adopted.

The Clerk cast 1 ballot for Rep. Cobleigh as Speaker and Reps. Bridges, Gelt and Maloomian escorted Speaker Cobleigh to the Rostrum.

(Speaker in the Chair)

Speaker Cobleigh thanked the House for electing him, and addressed the House as follows:

## INAUGURAL ADDRESS — SPEAKER OF THE HOUSE

Marshall Cobleigh

I am honored to stand before you today as the duly elected Speaker of the N. H. House of Representatives. The warmth of

your welcome increases my determination to conduct myself in this high office in a manner that will bring credit at all times to the office and to the Legislature as a whole. I shall strive to rise above personal differences and considerations to the extent humanly possible so that we may together effectively serve the people of N. H.

The federal-state system is on trial. State government is on trial. The N. H. General Court is on trial. The 400-member House is on trial. And how we perform in solving the vital problems facing N. H. in the next 90 legislative days will determine in a large measure whether or not these institutions will survive and remain a viable force of government.

I am distressed by the attitude of the public towards the N. H. Legislature; and, in fact, against all legislatures across the country. Facing facts, to some degree the public's attitude is our own fault and is a product of the way our legislature is organized and the manner in which it functions. The need for respect and confidence in our legislative process and in legislative procedures has become more important as the impact of state legislation has become more widespread. Yet, certain of our procedures have resulted in the raising of questions as to whether all proposals before the legislature receive equally fair treatment. Where else would you see committee chairman pocket veto good bills and prevent them from being debated on the floor of this House? Where else would you find a \$330 million business that did not even furnish each of its committees with a permanent room where they can meet when they choose and keep their records? Where else do you find policy-making bodies arriving at major decisions affecting hundreds of thousands of people without first receiving reports from qualified staff? Where else would you find a business that works only six months out of two years? A legislature slowed by archaic rules, underpaid, limited by time, and inadequately informed, obviously, has great difficulty in doing an effective job. Only the absence of quill pens, and spittoons distinguishes the present day General Court from the days when some of these rules and procedures I seek to change were adopted.

It is time we changed the structure of our Legislature to utilize modern decision-making systems. It is no longer adequate to maintain a structure designed so the individual members

can get home each night to tend their crops. It is no longer adequate to meet at a time of day that was set because of the train schedule when we no longer have any passenger trains in the State of N. H.

David Broder told us, and wisely, I think, "The battle of Chicago was another warning — if one were needed — that unless the institutions of democratic decision-making are reformed, they are going to be destroyed in a bloody confrontation from within. This is not a partisan matter."

This is an important business with which we are entrusted. As former Mass. Senator John Powers said:

"No matter what business you may be engaged in, the General Court can make or break you. We decide the minimum salaries you must pay. We decide the days and hours you may be open. We decide the prices you may charge. We tax your business, your buildings, your stock.

"We draw the broad outlines, both financial and curricular, upon which your children's education is based. We create and maintain jurisdiction over the city and town governments which tax your homes, hire your teachers, provide police and fire protection, and collect your garbage.

"We construct the highways on which you travel. We tax your gasoline, your cigarettes, your liquor. We license the doctors who treat you when you are ill, the nurses who care for you, and the men who bury you; as well as plumbers, electricians, pharmacists, engineers and a hundred other professional and trades people with whom you deal every day of your life."

Yet the public does not respect us, and pays us only \$100.00 a year and yet still complains about our caliber and our performance.

As the veteran members know, our Legislature suffers from inadequate professional staff; from lack of comprehensive organization; and is handicapped by restrictions imposed by the State Constitution as to when it can meet. Generally speaking, the Legislature lacks the tools for detailed analysis of the effectiveness of state programs.

I seek to change this because I feel it is the duty of the leader to propose ideas and to innovate. As Abraham Lincoln



said so well: "The dogmas of the quiet past, are inadequate to the stormy present. The occasion is piled high with difficulty, and we must rise to the occasion. As our case is new, so we must think anew, and act anew . . . and only then we shall save our country."

The NEWPORT, N. H. ARGUS CHAMPION recently said: "N. H. hungers for leaders with the understanding, the vision, the courage, and the intellect to bring forth bold, new bright, practical ideas . . . to show us how N. H. can achieve the greatness of which it is capable."

I certainly don't claim to have that type of leadership ability, but neither do I subscribe to the credo of Boston's notorious mayor James Michael Curley who used to love to say, "There go my people, I must follow them because I am their leader." I feel that it is my duty as Speaker of the House to propose new methods of reaching major decisions. It is, of course, your duty to examine these methods and determine whether or not they are effective tools to utilize in solving our problems.

In putting the N. H. Legislature's problems in perspective, I think it is fair to state that, while we have many outdated practices, we are actually much further advanced than many of our sister states, and credit for this, of course must go to my predecessors in this office, and particularly to Stewart Lamprey, who in his ten years at the helm of one or the other branches of this Legislature, has innovated many reforms in a quiet way. As Jefferson said:

"Laws and institutions must go hand in hand with the progress of the human mind. As that becomes more developed, more enlightened, as new discoveries are made, new truths disclosed, and manners and opinions change with the change of circumstances, institutions must advance also, and keep pace with the times."

I believe state governments must be modernized before they can expect to reverse the trend toward federal assumption of the state's traditional responsibilities. It is clear the drafters of our Constitution envisioned three branches of government with a system of checks and balances. While the Constitution provides the framework, it is necessary that each branch assumes its responsibility by operating efficiently.

If we do not modernize our procedures to solve N. H.'s problems in N. H., then the slow erosion by the federal process will become an avalanche of unbelievable proportions. It is when the states are not responsive to the people and their problems, that the federal government moves into the vacuum.

I consider myself a fiscal conservative. I do not intend to make the mistake many conservatives make in that they are so conservative on a national level that it carries down to the state and local level, and their very conservatism on the state level creates a vacuum that the liberals from the federal level are very eager to fill. While I am a fiscal conservative, I do not believe one should have a closed mind. It shall be my intention to evaluate every process in this legislative branch to determine why we do the thing that way and consider whether or not there is a better method available using modern techniques.

Every method will be evaluated with the end in sight of how we might most effectively utilize the time and service of the 400 men and women in this Legislature to best serve the people of N. H.

The issue is not state's rights, but state's responsibilities. The challenge is to develop a legislature capable of acting on problems rather than belatedly reacting under pressure of other units of government. At stake is the future of representative democracy in a complex technological era. The rewards of legislative reform can mean better use of tax money, revenue raised by the states as well as that raised by the federal government. The rewards of legislative reform can mean improved human welfare and a safeguarding of individual liberty.

The important first step is a strong, efficient, and effective state legislature.

I have already, in my capacity as Majority Leader of the 1967-68 legislature, initiated some steps to improve the efficiency, and thus the professional quality, of our legislature. In September we formulated eight task forces to study our current procedures, and it's my pleasure to announce that as a result of their activity and dedicated service, we can unveil today a legislative intern program which has been arranged through the cooperation of the University of N. H. and Dartmouth College as a pilot program to make available twelve students to the legislative branch of government for research and staff

assistance. I might further add that this will done at no cost whatsoever to the Legislature during this session.

As a result of this move, I can announce to you that I have been able to eliminate ten untrained positions on our legislative staff at a savings of close to \$20,000. This was done not by firing veteran employees, but by not replacing unskilled employees with additional unskilled employees. I can further announce that we have set a policy of hiring no defeated legislators as legislative attaches, and that we have adopted a policy of using personnel tests in the selection of any new legislative employees.

As you know, we will be voting later on today on proposals developed by my task force to consider revisions of the legislative rules and procedures, directed towards increasing the efficiency of our operation without injury to the democratic method. In these proposals we are seeking to replace one major deadline — the July 1st deadline with a series of smaller deadlines so that we can more equally distribute the legislative workload. We are also proposing for your approval a realignment of our committee structure for the same reasons. We have prepared the first orientation manual for new members, and while it is a modest effort, at least it is a step in the right direction. I will propose a Constitutional amendment call for the Legislature to take office upon election and to organize in November so we will not again be delayed by division of authority. We are making a comprehensive study of the legislature's duplicating and printing facilities with the hope of reducing our substantial expenditure in this area without decreasing our efficiency.

For the first time in the history of the N. H. Legislature, every committee will have a permanent room so that it may better schedule its activities and so that they can meet longer each day and thus generate more business for floor activity early in the session.

It is imperative that committees have a room of their own, have adequate meeting time, and that they meet every day until all bills have been cleared from the committee. We can no longer afford the luxury of one hour a day committee hearings. We must redistribute the committee workload and we must work the committees longer and harder. For this reason I propose a change in the starting time of the daily session. I will not

prejudge whether a change to morning sessions or afternoon sessions would be more effective. I therefore propose that next week we try afternoon sessions with the committee meetings in the morning. That the week after we try morning sessions with the committee meetings in the afternoon. The third week we go back to the old system of 11:00 meeting. On the fourth week I would propose a referendum to determine the best meeting time after the entire house has had a week's try of each procedure.

I consider it essential that we implement the recommendations of the various committees that are proposing rules changes, especially those rules that would establish deadlines for (1) the introduction of bills; (2) for the early consideration of bills by committee; and the elimination of the pocket veto; (3) for the completion of action by the originating house; and (4) for the completion of final legislative action. I think we can all agree that the idea of working a few hours each day for the first month or two of each session and then working around the clock for the last month of the session can only have a serious detrimental effect for the entire State and the legislative process.

As I'm sure you can see by now, I love this House of Representatives, and I believe strongly in it and I seek to make it more effective. I am going to propose for your consideration under Constitutional Amendment No. 1 a proposal to take the antiquated pay provision for the Legislature out of our Constitution and seek to amend the Constitution by having the pay and expense allowance for Legislators set a year before each session by a Blue Ribbon Commission — one half of whom will be appointed by the Governor and one half of whom will be appointed by the Supreme Court of our State. I think that this proposal will meet the objections of the citizens who have feared allowing us to set our own pay and will establish a vehicle for eliminating a problem that makes it a real sacrifice for many of us to serve in this body.

Regarding the size of the House, I do not propose to support any reduction in the size of our House. I do not think that 400 is a magic number but I support the citizen-legislator concept. I recognize there are those who differ with me on this issue. I know that government is the art of the possible. I am convinced that it is impossible to reduce the size of the Legislature except at a Constitutional Convention; therefore, I will

exert my energies in making those changes that are attainable. I would point out, however, to those of you who support keeping the Legislature at its present size that you have a responsibility to make this Legislature effective, and I'm convinced that to make it effective, we must adopt the rule changes that will be proposed later on today. Because there has been a problem of communication between the leadership and the membership I will today institute a system of utilizing three assistant majority leaders, a party whip, and six section leaders so that we can more effectively communicate and have a meaningful discussion of our proposals.

Majority Leader —

Harlan Logan

Assistant Majority Leaders —

Webster Bridges

Lawrence MacKenzie

David Sterling

Section Leaders —

Donald Hayes

Donald Welch

William Andrews

Maurice MacDonald

Theodore Aucella

Jeannette Gelt

We will propose making the Legislature a continuing body during the biennium for which it is elected; we will support annual sessions or at least allowing the Legislature to spread the number of legislative days over the biennium.

We will make the functions and interrelationships of the Legislative Council, the Judicial Council, the Fiscal Committee, the Office of Legislative Services, and other such groups the subject of a comprehensive study.

"It is hoped that such moves would place the legislature in a position in the formulation of public policy rather than in the position of merely reacting to expanding federal legislation and the many competing pressures of citizens for more services."

Staff and facilities are necessary to improve the information available and expedite other aspects of the legislative process. The cost of an inefficient legislature is difficult to determine but should be estimated in relation to the cost of these improvements.



Because I am concerned about the survival of the legislative branch of government and in fact state government itself, I am today appointing a Blue Ribbon Legislative Advisory Committee whose responsibility will be to make a broad and comprehensive study of the organization, facilities, functions, and needs of the General Court — with the goal of discovering and recommending ways and means of improving and strengthening the ability of the General Court to fulfill its responsibilities in our representative democracy.

The following leading citizens of our state have agreed already to serve on this advisory committee which will be staffed partially by our interns and partially by industry at no cost to the Legislative Branch of government:

Winthrop Carter, Jr., Hollis, Vice President of Nashua Corporation

Lane Dwinnell, Lebanon, former Governor of New Hampshire

W. Douglas Scamman, Stratham, former Speaker of the House

Norman A. McMeekin, Haverhill, Representative, former Speaker of the House

Dr. Raymond Danforth, Henniker, President of New England College

Lawrence Spellman, Concord, attorney

William S. Green, Manchester, attorney

Stephen H. Taylor, Managing Editor Lebanon Valley News

Richard Noyes, Publisher Monadnock Ledger, Jaffrey

Raymond Hall, Amherst, Director of Public Relations, Sanders Associates

Finally, I would like to end on a personal note, if you will permit me. My route to this position has not been an easy one. After a tough election two strong temptations present themselves immediately. The first is to strike out, to punish, to hurt those who have opposed you. I shall resist and defeat this temptation. The problems confronting our people are far too important to permit the luxury of personal vendetta, even if I were so inclined. To those who for reasons good or bad sought my defeat I offer the right hand of friendship — and my pledge to disregard personal animosity for the sake of public progress.

The second temptation which confronts a strongly-opposed winner is to walk on eggshells — to conciliate, waver, take no firm stands, antagonize no one — in sum to drift with the currents of consensus. I shall also resist and defeat this temptation. The problems confronting us require well-considered, vigorous, bold and progressive action. They shall receive it, to the extent I can provide it.

My credo has always been: I am only one, but I am one; I cannot do everything, but I can do something; and what I can do by the grace of God I will do. Let us conduct ourselves as to do credit to the government we serve, and the people we represent. Finally, let us so conduct ourselves that we may look back in the years to come and say with quiet pride, "I'm proud to have served in the 1969 Legislature."

There you have it. Those are my goals. Those are my aspirations for this body. And that is the challenge I leave with you.

\* \* \*

The Speaker announced the appointment of Rep. Logan as majority leader and Rep. Raiche as minority leader.

\* \* \*

On motion of Rep. Logan, the addresses of the Governor and Speaker were ordered to be printed in the Journal.

\* \* \*

On motion of Rep. Raiche seconded by Rep. Morrill the following were elected.

Francis W. Tolman of Nelson, Clerk; J. Milton Street of Sharon, Assistant Clerk; Lloyd Sherman of Lancaster, Sgt.-at-Arms; Bertha E. Boutwell of Concord, Florence T. Gould of Wentworth, Herbert R. Richardson of Randolph, Lloyd E. Fogg of Milan and Susan Dudley of Concord, Doorkeepers.

Rep. Kenneth Spaulding offered the following resolution:

#### RESOLUTION

*Resolved*, that the Honorable Senate be informed that the House of Representatives has organized by the choice of Mar-

shall Cobleigh, as Speaker, Francis W. Tolman as Clerk, J. Milton Street as Assistant Clerk, Lloyd Sherman as Sergeant-at-Arms and Bertha Boutwell, Florence M. Gould, Herbert R. Richardson, and Lloyd E. Fogg and Susan Dudley as Doorkeepers.

\* \* \*

Resolution adopted by vv.

### SENATE MESSAGE

The Senate has organized by the choice of Stewart Lamprey as President, Wilmont S. White as Clerk, Roger Quimby as Asst. Clerk, Robert Turner as Sergeant-at-Arms and Merton Webber as Doorkeeper.

\* \* \*

Rep. Zachos offered the following resolution.

### RESOLUTION

*Resolved*, that the Honorable Secretary of State be requested to lay before the convention the returns of votes for Governor and Councilors.

\* \* \*

The resolution was adopted and Robert L. Stark, Secretary of State, appeared before the joint convention and laid the returns of the votes for Governor and Councilors cast in the last General Election, and the vote on the constitutional amendment questions, Nos. 2, 3, 4, 5, 6, 8 and 10 proclaimed by Governor John W. King on November 15, 1968 and No. 7 proclaimed by Governor John W. King on November 27, 1968, as follows:

### FOR GOVERNOR

	Peterson	Bussiere	Scatter
Belknap	8,276	5,363	8
Carroll	6,186	2,733	3
Cheshire	12,122	7,283	1
Coos	6,061	8,757	
Grafton	13,535	7,235	13
Hillsborough	35,711	54,033	4

Merrimack	19,691	12,403	10
Rockingham	28,615	20,221	16
Strafford	13,311	11,937	4
Sullivan	6,394	5,413	3
	<hr/>	<hr/>	<hr/>
Totals	149,902	135,378	62

Walter Peterson having a plurality of all votes, was elected Governor.

### FOR COUNCILORS

#### First District:

Stephen W. Smith, Plymouth, r	27,990
Jean L. Hennessey, Hanover, d	14,087

Plurality for Smith	13,903
---------------------	--------

#### Second District:

Robert E. Whalen, Portsmouth, r	35,017
William F. Keefe, Portsmouth, d	24,075

Plurality for Whalen	10,942
----------------------	--------

#### Third District:

Joseph J. Acorace, Manchester, r	27,426
John S. Walsh, Manchester, d	26,852

Plurality for Acorace	574
-----------------------	-----

#### Fourth District:

Bernard A. Streeter, Jr., Nashua, r	36,810
John H. McLaughlin, Nashua, d	31,117

Plurality for Streeter	5,693
------------------------	-------

#### Fifth District:

James H. Hayes, Concord, r	33,847
J. Willcox Brown, Dunbarton, d	14,718

Plurality for Hayes	19,129
---------------------	--------

### CONSTITUTIONAL QUESTIONS

1. Are you in favor of changing the Constitution so as to allow a) paupers and persons excused from paying taxes at their

own request the right to vote, and b) inhabitants of unincorporated places who otherwise qualify as this Constitution provides, to have the same privileges of voting without requiring that they assess taxes upon themselves towards the support of government or be taxed therefor?

Yes 123,692

No 92,786

2. Are you in favor of removing certain obsolete words and phrases from the Constitution as follows:

(a) Striking out in Articles 11 and 8 Part 1 the words "nor to any person who shall be sixty years of age or upwards on the first day of January, A.D. 1904"

(b) Striking out in Article 33 of Part 2 the references to an examination of records by the "president" for the first year under the Constitution, and

(c) Striking out in Article 85 of Part 2 the words referring to oaths being taken before the president of the state?

(The two latter phrases were in the early constitution during the transition period.)

Yes 151,658

No 47,778

3. Are you in favor of amending Article 6 of Part 1 of the Constitution so as to strike out certain specific sectarian references and further amending said Article to read as follows:

"Art. 6th. As morality and piety, rightly grounded on high principles, will give the best and greatest security to government, and will lay, in the hearts of men, the strongest obligations to due subjection; and as the knowledge of these is most likely to be propagated through a society, therefore, the several parishes, bodies corporate, or religious societies shall at all times have the right of electing their own teachers, and of contracting with them for their support or maintenance or both. But no person shall ever be compelled to pay towards the support of the schools of any sect or denomination. And every person, denomination or sect shall be equally under the protection of the law; and no subordination of any one sect, denomination or persuasion to another shall ever be established."?

Yes 142,112

No 67,697

4. Are you in favor of an amendment defining the powers and duties of the Governor as commander-in-chief as follows —



"The governor of this state for the time being, shall be commander-in-chief of all military forces of the state; and shall have full power, by himself or by any chief commander, or other officer or officers, from time to time, to train, instruct, exercise and govern the militia; to call forth the militia and to put in warlike posture the inhabitants of the state; to execute the laws of the state and of the United States; to suppress insurrection and to repel invasion; and, in fine, the governor is hereby entrusted with all other powers incident to the office of commander-in-chief to be exercised agreeably to the rules and regulations of the constitution and the laws of the land?"

Yes 148,197      No 49,737

5. Are you in favor of adding to the Bill of Rights of the New Hampshire Constitution the words "The right to vote shall not be denied to any person because of the nonpayment of any tax"?

Yes 149,863      No 66,798

6. Do you favor an addition to the Bill of Rights in the New Hampshire Constitution guaranteeing free speech together with the liberty of the press?

Yes 185,340      No 27,797

7. Do you favor amending the Constitution so that the legislature may provide for assessment of any class of real estate at valuations based upon the current use thereof?

Yes 148,354      No 73,999

8. Do you favor requiring a new election in case the person receiving a plurality of votes in any senatorial district is found by the Senate not to be qualified to be seated, and requiring such election and all other elections to fill vacancies in the Senate arising by death, removal out of the state, or otherwise, to be called by the Governor and Council, instead of by the Governor alone as the Constitution now provides?

Yes 160,177      No 38,430

9. Do you favor amending the Constitution effective for the 1971 session of the legislature to:

(a) Repeal the present salary of the legislators of \$200.00 for two years; and

(b) Give the legislature the power to set by statute for the succeeding session the daily pay of its members which must be voted by two-thirds of each house; and

(c) Allow legislators to be reimbursed for their reasonable expenses?

Yes 107,281

No 98,562

10. Are you in favor of amending the Constitution to provide that the line of succession for filling the chair of the Governor in the event of its vacancy shall be extended to add after the President of the Senate and the Speaker of the House of Representatives, which is now provided, the Secretary of State and the State Treasurer in that order, and that the Secretary of State and the State Treasurer shall only be an Acting Governor until the Senate elects a President or the House of Representatives elects a Speaker?

Yes 163,408

No 32,052

\* \* \*

Rep. Bouchard offered the following resolution:

### RESOLUTION

*Resolved*, that the vote for Governor and Councilors be referred to a committee consisting of one on the part of the Senate and two on the part of the House to compare and count the same and report thereon.

\* \* \*

The resolution was adopted and the Chair appointed Senator Tufts, Rep. O'Neil and Rep. Weeks to the Committee.

\* \* \*

Rep. Reddy offered the following resolution:

### RESOLUTION

*Resolved*, that a committee of ten members, one from each county, be appointed by the Chair to select some suitable person to act as Chaplain during the present session of the legislature and report such election to the House for consideration.

\* \* \*

Resolution adopted by vv and Committee appointed as follows:

Reps. William Martin, Arthur Fox, Roxie Forbes, A. George Manning, Laurence Radway, Arthur Poliquin, Milton Cate, Doris Spollett, Roland Hebert, Martha Frizzell.

Rep. Drake offered the following resolution:

### RESOLUTION

*Resolved*, that the Speaker of the House be authorized to appoint one custodian of mails and supplies, one warden of the coat room, one telephone messenger, one page to the Speaker and in addition thereto that the Speaker be authorized to appoint such other messengers and pages as may be necessary.

\* \* \*

Resolution adopted by vv.

Rep. Fellows offered the following resolution:

### RESOLUTION

*Resolved*, that the Honorable Senate and House of Representatives are in Joint Convention for the election of a Secretary of State and a State Treasurer.

\* \* \*

Resolution adopted by vv.

### JOINT CONVENTION

Rep. Junkins offered the following resolution:

### RESOLUTION

*Resolved*, that the Convention proceed with the election of a Secretary of State.

\* \* \*

Resolution adopted by vv.

Rep. Morrill nominated Robert L. Stark for Secretary of State and the nomination was seconded by Senator Tufts of Dist. 23.

On motion of Rep. Tilton the Clerk cast one ballot for Robert L. Stark and he was declared elected.

Rep. Casassa offered the following resolution:

### RESOLUTION

*Resolved*, that the Convention proceed with the election of a State Treasurer.

\* \* \*

Resolution adopted by vv.

Rep. Bigelow nominated Robert W. Flanders for Treasurer and the nomination was seconded by Rep. Weeks.

On motion of Rep. Shirley Clark the Clerk cast one ballot for Robert W. Flanders and he was declared elected.

Rep. MacDonald offered the following resolution:

### RESOLUTION

*Resolved*, that a committee of nine be appointed by the Chair to wait upon the Honorable Walter R. Peterson, Jr. and inform him officially of his election as Governor of the State of New Hampshire.

\* \* \*

Resolution adopted by vv.

The Chair appointed Senators Buchanan & Spanos, Reps. Ratoff, O'Neil, Trowbridge, Shirley Clark, Roger Smith, Gelt and Aucella.

\* \* \*

Rep. John Welch offered the following resolution:

### RESOLUTION

*Resolved*, that a committee of six be appointed by the Chair to wait upon the Honorable Councilors: Stephen W. Smith, Robert E. Whalen, Joseph J. Acorace, Bernard A. Streeter, Jr. and James H. Hayes and inform them officially of their election to the Honorable Council.

Resolution adopted by vv.

\* \* \*

The Chair appointed Senator Leonard, Reps. James Allen, Michels, Irene Reed, Record, William Gardner.

On motion of Senator Tufts, Dist. 23 the Convention rose.

## HOUSE

The Hon. Sec. of State and State Treasurer appeared before the Speaker and were duly sworn into office.

\* \* \*

Rep. Logan offered the following resolution:

## RESOLUTION

*Resolved*, that the Clerk, with the approval of the Speaker, may employ such stenographic and other clerical assistance as he may deem necessary.

\* \* \*

Resolution adopted by vv.

Reps. Logan and Raiche moved that the Rules of the 1967 Session be adopted as the Rules of the 1969 Session.

Discussion ensued.

Motion adopted by vv.

Reps. Logan and Raiche offered the following resolution:

## RESOLUTION

*Resolved*, that amendments to the Rules of the House and Joint Rules be offered within the next four legislative days.

\* \* \*

Resolution adopted by vv.

## RESOLUTIONS

Reps. Logan and Raiche proposed the following resolutions which were adopted by vv.

*Resolved*, that amendments to the Rules may be presented for consideration at any time during the next four legislative days, and may during said period, be adopted by a majority vote of the members present and voting.

*Resolved*, that House Rule 32, as adopted by the 1967 session of the House, be amended by striking out the same and inserting in place thereof the following:



32. The following standing policy committees, to consist normally of twenty-one members each, shall be appointed at the commencement of any session: Committees on Agriculture; Appropriations; Banks and Insurance; Claims, Military and Veterans Affairs; Constitutional Revision; Education; Executive Departments and Administration; Fish and Game; Judiciary; Labor, Human Resources and Rehabilitation; Legislative Revision; Liquor Laws; Municipal and County Government; Public Health, Welfare and State Institutions; Public Works; Resources, Recreation and Development; Statutory Revision; Transportation and Aeronautics; and Ways and Means.

The following standing administrative committees shall be appointed at the commencement of any session: Committee on Rules, consisting of eight members, one of whom shall be the Speaker; Committee on Journal, consisting of five members, Committee on Mileage, consisting of five members; Committee on Elections, consisting of five members; and Committee on Interstate Cooperation, consisting of five members, one of whom shall be the Speaker.

It shall be the duty of the Committee on Agriculture to take into consideration all matters concerning the agricultural and farm problems of the state, the various agricultural organizations, and such other matters as may be referred to it.

It shall be the duty of the Committee on Appropriations to examine and take into consideration the state of the treasury; to consider the budget, subjects concerning the financial interests of the state, all measures carrying appropriations of state money (except claims against the state), and such other matters as may be referred to it. Prior to its report to the House, the Committee on Appropriations may refer to it. Prior to its report to the House, the Committee on Appropriations may refer the budget of certain self-sustaining state agencies to appropriate committees for study and recommendation. The Committee on Appropriations shall assume the ultimate responsibility for keeping the state budget in balance.

It shall be the duty of the Committee on Banks and Insurance to consider all matters pertaining to banks and banking institutions and all subjects relating to insurance companies, domestic or foreign, contracts of insurance of any character, and such matters as may be referred to it.

It shall be the duty of the Committee on Claims, Military and Veterans Affairs to consider and report on all claims against the state, whether chargeable against special funds or the general fund, and to inform the Committee on Appropriations immediately of any claims approved by the House and to consider all matters pertaining to the National Guard, other military or veterans organizations existing within the state, and such other matters as may be referred to it.

It shall be the duty of the Committee on Constitutional Revision to consider all matters concerning the Constitution including proposed Constitutional Amendments and any proposals for revision of the Constitution, and all matters of general law and such others matters as may be referred to it.

It shall be the duty of the Committee on Education to consider all subjects relative to the regulation of school districts and schools, Keene State College, Plymouth State College, and the University of New Hampshire, all matters concerning education, and such other matters as may be referred to it.

It shall be the duty of the Committee on Elections to examine and report upon the credentials of the election of the members returned to serve in the House and to take into consideration all petitions and other matters in relation to such elections or returns as shall be presented or come into question and may be referred to it.

It shall be the duty of the Committee on Executive Departments and Administration to consider matters pertaining to the general administration of state laws and changes therein, matters of policy pertaining to the executive departments, and such other matters as may be referred to it.

It shall be the duty of the Committee on Fish and Game to consider all matters concerning conservation, improvement and preservation of fish and game within the state, and such other matters as may be referred to it.

It shall be the duty of the Committee on Interstate Cooperation to perfect the participation of this state in the council of state governments for the purpose of establishing and maintaining governmental machinery to facilitate communication, negotiations, understanding and cooperation between the State of New Hampshire and other states of the union, both regionally and nationally.

It shall be the duty of the Committee on Judiciary to take into consideration all matters in relation to the judiciary system of the state, matters involving major changes in public policy, and such other matters as may be referred to it.

It shall be the duty of the Committee on Labor, Human Resources and Rehabilitation to consider all matters relating to labor, wages, labor organizations, the utilization of human resources, the rehabilitation of human resources, and such other matters as may be referred to it.

It shall be the duty of the Committee on Legislative Revision to consider all matters concerning reform of the legislative process, and such other matters as may be referred to it.

It shall be the duty of the Committee on Liquor Laws to consider all matters pertaining to the liquor laws of the state, and such other matters as may be referred to it.

It shall be the duty of the Committee on Mileage to determine the distance travelled by each member of the House and report to the House the names of the several members and the mileage allowed to each.

It shall be the duty of the Committee on Municipal and County Government to consider all matters pertaining to the boundaries of town, city and county lines, the creation of new towns, cities and counties, the salaries of town, city and county officers, changes in municipal and county government and such other matters as may be referred to it.

It shall be the duty of the Committee on Public Health, Public Welfare and State Institutions to consider all matters concerning the health of the inhabitants of the state; vital statistics; medical and related professions; the administration of welfare activities by the state government; the administration of the State Hospital, Industrial School, Sanatorium, State Prison and School for the Feeble-Minded; the operation of the State House, State House Annex, Soldiers Home and State Library; the care of state memorials and monuments; and such other matters as may be referred to it.

It shall be the duty of the Committee on Public Works to consider all matters pertaining to public highways, buildings and capital construction, all matters pertaining to the protec-

tion, improvement and preservation of the coast line, and such other matters as may be referred to it.

It shall be the duty of the Committee on Resources, Recreation and Development to consider all matters relating to the forests of the state, public parks, recreational areas, the recreational industries, and such other matters as may be referred to it.

It shall be the duty of the Committee on Statutory Revision to consider all matters concerning the repeal or recodification of existing statutes and other matters relating to the statutes of the state, and such other matters as may be referred to it.

It shall be the duty of the Committee on Transportation and Aeronautics to consider all matters pertaining to public transportation, the operation of motor vehicles, the operation of aircraft, the regulation, control and advancement of aviation, and such other matters as may be referred to it.

It shall be the duty of the Committee on Ways and Means to examine and take into consideration the state of the treasury, to consider and report on all bills and resolutions relating to raising money by a state tax, the apportionment of the same, and all other methods for raising revenue for the state; to consider and report upon every other subject concerning the financial interests of the state, and such other matters as may be referred to it.

It shall be the duty of the Committee on the Journal from day to day and before the commencement of the early session to examine the Journal of the preceding day and report to the House at once any errors; provided, however, that the Journal of the preceding day shall be read at the opening of the early session whenever requested by any ten members.

It shall be the duty of the Committee on Rules to consider all matters pertaining to the rules of procedure of the House, to operate the House calendar, and to assist the Speaker in expediting the business of the session.

\* \* \*

Rep. Raiche moved that reading of the amendment be suspended and spoke in favor of the motion.

Motion to suspend the Rules was adopted by vv.

The question now being on the adoption of Rule 32.

Rep. Stevenson announced that he would offer an amendment of change in the Rules regarding Agriculture and Aeronautics.

Discussion ensued.

Rep. Bridges explained the amendment to Rule 32.

On a vv amendment to Rule 32 was adopted.

### RECESS

Reps. Logan and Raiche proposed the following resolutions, all of which were adopted by vv.

### RESOLUTIONS

*Resolved*, that the House Rules, as adopted by the 1967 session of the House, be amended by striking out Rule 9 and inserting in place thereof the following:

9. No person but the members and officers of the House, members of the Council and members of the Senate, the Secretary of State, Treasurer, and Clerks of the Senate shall be admitted within the door of the Representatives' chamber unless by invitation of the Speaker, except in public hearings, parties, their counsel and witnesses under the direction of the Speaker.

\* \* \*

*Resolved*, that the House Rules, as adopted by the 1967 session of the House, be amended by striking out Rule 28 and inserting in place thereof the following:

28. (a) No vote shall be reconsidered unless the motion for reconsideration is made by a member who voted with the prevailing side and while the bill or resolution is in the possession of the House.

(b) Notice of a motion for reconsideration shall be in order only when given to the House in open session prior to adjournment on the same day on which the vote was passed or on the next day on which the House shall be in session within one-half hour after the convening of the early session and any such notice of reconsideration shall be effective for three legislative days only and thereafter shall be null and void.



(c) When notice of reconsideration is received by the House, the Clerk of the House shall hold the bill or resolution relative to which such notice has been served until the expiration of the time within which such notice is effective.

\* \* \*

*Resolved*, that House Rule 32 be amended to provide for a standard administrative committee entitled a Committee of House Resolutions and Non-Legislative Activities consisting of five members appointed by the Speaker.

It shall be the duty of the Committee to examine all House resolutions and proposed non-legislative activities for the purpose of determining whether or not same are of sufficient importance or interest to warrant being brought before the House. No such resolutions or activities shall be brought before the House unless they are approved by the Committee. Any such resolutions or activities brought before the House with the approval of the Committee shall be scheduled so as not to interfere with the official business of the House. The term "non-legislative activities" shall include the introduction of House guests, seat pocket insertions, and journal announcements.

\* \* \*

*Resolved*, that the House Rules, as adopted by the 1967 session of the House, be amended by inserting after Rule 32 the following new rule:

32-a. There shall be a Committee on Introduction of Bills to be appointed at the commencement of any session. The committee shall consist of seven members. The office of Legislative Services shall file with the committee as soon as possible after the last day for filing of requests for drafting of bills a list of all requests for bills received by Legislative Services which at that time appear to be on the same subject, analogous or which have similar objectives, hereinafter called duplicates and may after said date so refer any such duplicates. The committee shall review or cause to be reviewed all such requests for the purpose of determining whether or not there is duplication. If the committee finds duplication in any such requests it shall require the sponsors of such requests to meet with the committee to determine if the sponsors will agree to the introduction of one

bill under joint sponsorship. If there is such agreement, one bill shall be drafted and the duplicate requests shall be withdrawn. If the sponsors cannot agree, their bills shall be prepared as they requested, provided that such duplicate bills shall be introduced into the House on the same day so that the standing committee to which they are referred may hold common or consecutive hearings and said bills shall be reported to the House at the same time.

When requests for introduction of bills are received by the Rules Committee said committee shall consult with the Committee on Introduction of Bills relative to the question of duplication.

\* \* \*

*Resolved*, that the House Rules, adopted by the 1967 session of the House, be amended by inserting after Rule 36 the following new rule:

36-a. In addition to any other standing committees there shall be a so-called Coordinating Committee of the House for Ways and Means and Appropriations consisting of nine members as follows: The Speaker, the Majority and Minority Leaders of the House, the chairman and two members from the Ways and Means Committee, one from each major party, appointed by the Speaker, the chairman and two members from the Appropriations Committee, one from each major party, appointed by the Speaker. Said Coordinating Committee shall be charged with the duty and responsibility of coordinating the work of the Ways and Means Committee and the Appropriations Committee in order that there is a sufficient and complete exchange of information between the said two committees.

\* \* \*

*Resolved*, that the House Rules, as adopted by the 1967 session of the House, be amended by inserting after Rule 43, the following new rule:

43-a. The hearing provided for by Rule 43 shall be held upon each bill referred to a committee within twelve legislative days of such referral, not counting for the purposes of this Rule any legislative days prior to the distribution of printed copies of such measure. The Clerk shall keep an accurate record of

the date of distribution of printed copies of each bill and shall notify the Speaker whenever twelve legislative days have passed. The Speaker shall then revoke the reference of such measure to committee and shall place such bill before the House for action, upon giving notice of three legislative days in the calendar of the House Journal. A committee hearing held on or before the expiration of such three-day notice period shall take precedence over the order of the Speaker. Whenever it shall not be convenient for any committee to hold a hearing on a bill within twelve legislative days, the committee may ask the House for extensions of time with regard to that particular bill. Each extension of time shall not exceed six legislative days and shall take precedence over action by the Speaker. This rule shall not apply to bills assigned to the Appropriations Committee or to the Ways and Means Committee.

\* \* \*

*Resolved*, that House Rule 45, as adopted by the 1967 session of the House, be amended by striking out said Rule and inserting in place thereof the following:

45. All bills and joint resolutions appropriating state money which have been favorably reported from any committee, except those from the Committee on Claims, shall be referred to the Committee on Appropriations for revision. If any such bills or resolutions have been referred jointly to the Committee on Appropriations and another standing committee, the Committee on Appropriations may report separately and no further hearings shall be required by the Committee on Appropriations.

\* \* \*

*Resolved*, that the House Rules, as adopted by the 1967 session of the House, be amended by striking out Rule 56 and inserting in place thereof the following:

56. No Committee shall be in possession of any bill for more than fifteen legislative days after its assignment to that committee, not counting for the purposes of this rule any legislative days prior to the distribution of printed copies of such measure. The Clerk shall keep an accurate record of the date of distribution of printed copies of each bill and shall notify the Speaker whenever fifteen legislative days have passed. The Speaker shall then revoke the reference of such measure to

committee and shall place such bill before the House for action, upon giving notice of three legislative days in the calendar of the House Journal. A committee report filed on or before the expiration of such three-day notice period shall take precedence over the order of the Speaker. Whenever it shall not be convenient for any committee to attend properly to a bill within fifteen legislative days, the committee may ask the House for extensions of time with regard to that particular bill. Each extension of time shall not exceed six legislative days and shall take precedence over action by the Speaker. This rule shall not apply to bills assigned to the Appropriations Committee or to the Ways and Means Committee.

\* \* \*

*Resolved*, that the House Rules, adopted by the 1967 session of the House, be amended by inserting after Rule 56 the following new rules:

57. Any standing committee other than the Appropriations Committee to whom a bill or resolution containing an appropriation has been referred shall report such bill or resolution to the floor of the House by April first or earlier.

58. All revenue bills, whether providing for new state revenue or an amendment to existing state revenue statutes shall be reported to the floor of the House no later than May first.

\* \* \*

On motion of Rep. McMeekin the 1967 Joint Rules were adopted for the 1969 session.

On motion of Reps. Raiche and Logan, the following resolutions were adopted by vv vote.

\* \* \*

*Resolved*, that Joint Rules, as adopted by the 1967 session of the General Court, be amended by striking out Rule 12 and inserting in place thereof the following:

12. Each body shall take final action on all bills that originate therein not later than June 1st, and shall enter all bills favorably acted upon into the other body not later than June 3rd. The non-originating body shall take final action on all referred bills not later than June 15th.

*Resolved*, that the Joint Rules, as adopted by the 1967 session of the General Court be amended by inserting after Rule 14 the following new rule.

14-a. Notwithstanding the provisions of Rule 14, no request for drafting a bill providing for new state revenue, for a change in any existing state revenue statute, or a bill containing an appropriation other than a budget bill shall be accepted by the legislative drafting service for processing unless the subject matter of the legislation with complete information as to details has been filed with said service no later than the ninth legislative day and said bill must be introduced into one of the bodies no later than March first.

\* \* \*

*Resolved*, that the Joint Rules as adopted by the 1967 General Court, be amended by inserting after Rule 20 the following rules:

21. The general appropriation bill for each fiscal year (the so-called budget bill) and the capital improvement bill shall be introduced in the form proposed by the Appropriations Committee no later than May first, and the House shall take final action on said bills, and the bills shall be entered into the Senate not later than June first. The Senate shall take final action on said bills no later than June fifteenth, provided that if said bills are sent to a conference committee further action may be taken subsequent to said dates by the House and Senate.

22. Conference Committees on Budget Bills. The report of the conference committee on either the general appropriation bill or the capital improvements bill must be presented in written form to the members of the General Court before action is taken on the floor in either body of said report.

\* \* \*

*Resolved*, that the Joint Rules, as adopted by the 1967 session of the General Court, be amended by adding after Rule 20 the following:

20-a. A concurrent resolution proposing a constitutional amendment, as provided by Rule No. 20, shall be read into the Senate or House where it originates not later than the first day



of March first following the assembly of any General Court. All hearings on such resolutions shall be held jointly by the appropriate standing committees of the Senate and House provided that in the event the resolution is amended in the first body and the second body chooses to have a second hearing this too shall be joint. The committee vote on the resolution shall be by each committee and not by the committees jointly and passage in final form shall be completed by both bodies not later than the last legislative day of April of the calendar year in which the resolution was introduced. After said date in April no further action may be taken by either house on the resolution provided that if in the opinion of the attorney general, or an advisory opinion from the supreme court states that, the form of the question in the resolution needs to be amended, the two bodies may amend the resolution in such particular only by affirmative vote of no less than three-fifths of the entire membership of each house taken on division or roll call vote. A motion to so amend shall be in order in either body, notwithstanding any other rule to the contrary, at any time prior to the prorogation of the assembly of that General Court.

#### LEAVES OF ABSENCE

Rep. Thurston was granted leave of absence for today and tomorrow on account of illness.

Rep. Tarbell was granted leave of absence for the week on account of illness.

Rep. George White was granted indefinite leave of absence on account of illness.

Rep. Bernier was granted leave of absence for six weeks on account of illness.

#### COMMUNICATIONS

Manchester, N. H.  
November 6, 1968

Secretary of State,  
Concord, N. H.

Dear Sir:

I am a member elect to the General Court of the State of New Hampshire, having been duly elected by the voters of Ward 12 Manchester.

I hereby wish to inform you, that I cannot accept the "Office", or wish to resign from same. (Whichever is technically proper.)

I have been verbally informed by Mr. Kelly of your office, that I should notify you of this by letter and would therefore go on "record", as having done so, and that your office would then instruct me as to the necessary steps I am to take.

My reason for this sir, is that I am accepting a position with a Federal Program. The C.E.P., which as you undoubtedly know is part of the Civil Action Program.

As I am presently unemployed I am not in a position to refuse this offer for employment. As I was informed that I had been chosen for this work on November 1st or 2nd, it was too late to have my name stricken from the ballot and I had no alternative but to await the outcome of this election before taking this step.

Inasmuch as, the position has to be filled immediately, I would be very grateful if you could give this matter your immediate attention and acknowledge receipt, of this letter, by return mail.

Mr. Hickey of the C.E.P. Office in Manchester will be my superior and is awaiting some sort of "official" proof of my resignation before putting me to work.

Sincerely Yours,

Louis P. LaPlante

\* \* \*

The Chair announced that the resignation was regretfully accepted.

### QUALIFIED

The following appeared before his Excellency, John W. King, were sworn and appeared and took their seats:

Reps. Elmer Johnson, Roland LaPlante, Margaret E. Normandin, Theresa Drabinowicz.

Rep. Stuart Allan offered the following resolution.

### RESOLUTION

*Resolved*, that a committee of four be appointed by the Speaker to assist the Clerk in providing as soon as possible 1,500 paper bound copies of the Legislative Manual in substantially the same form and binding as that of 1967.

\* \* \*

Resolution adopted by vv and the following Committee was appointed:

Reps. Phil Bennett, Phyllis Keency, Robert Drew, Robert Coggeshall.

Rep. Newell offered the following resolution.

### RESOLUTION

Amend the Joint Rules of the Senate and House of Representatives by adding the following rule:

23. The report of a committee of conference on a bill or joint resolution or concurrent resolution proposing an amendment to the constitution shall be first returned to that house which acceded to a request for a committee of conference. The report shall be recorded in full in the journal of that house to which it is first returned and make a special order of business at the late session of a subsequent day. After said report has been adopted by the house to which it was first returned, it shall then be transmitted to the other house for its action.

\* \* \*

Rep. Newell explained the proposed amendment.

(Discussion ensued)

Rep. Logan spoke against the amendment.

Rep. Angus moved that the proposed amendment be laid on the table.

Motion adopted by vv.

Rep. Newell offered the following Resolution and moved that it be made a special order of business for 1:01 P.M. on Tuesday next.

Motion adopted.

### RESOLUTION

*Resolved*, that the Committee on Appropriations, in each bill making a year's appropriations for expenses of state government, shall prepare and include budgets for each branch agency and office, including interim committees of the legislature in the same form and detail required for other branches and departments of state government; and further be it

*Resolved*, that, subject to approval by the Committee on Appropriations, the legislative budget assistant shall prepare a manual of procedure for handling and controlling all monies appropriated for expenses of branches, agencies, offices and committees of the legislature for the current and subsequent fiscal years which manual shall be consistent and compatible with the manual of procedure used by the other branches and departments of state government.

\* \* \*

Reps. Logan and Raiche offered the following resolution:

### RESOLUTION

*Resolved*, that all action taken at all sessions of the House of Representatives be recorded through the public address system on tape, said tapes to be used by the House and the Clerk, within three legislative days, to confirm and correct the permanent Journal. The permanent Journal as thus prepared by the Clerk or as corrected by the House shall be the official record of the House, and be it further

*Resolved*, that the Committee on the Journal be authorized to examine the permanent Journal of the last day of the session, as prepared by the Clerk, and make corrections of the same.

Resolutions adopted by vv.

Rep. Esther Davis offered the following resolution:

### RESOLUTION

Resolved, that the Speaker appoint a committee of three to assign seats to the members.

The resolution was adopted and the following committee was appointed:

Reps. MacKenzie, Saggiotes and LaTour.

Rep. Van Gardner offered the following resolution:

### RESOLUTION

*Resolved*, that the Speaker be authorized to appoint a committee of three to procure and assign suitable hearing rooms for various committees of the House.

\* \* \*

Resolution adopted by vv. and the following committee was appointed:

Reps. Donald Welch, Cassassa, Cleon Heald.

\* \* \*

Rep. Bell offered the following resolution:

### RESOLUTION

*Resolved*, that the Sergeant-at-Arms of the House be instructed to procure and furnish to each member of the House and officers thereof, during the days when the House is in session, one daily newspaper published in the state, each member and officer to choose the paper he desires to have and indicate the same to the Sergeant-at-Arms forthwith.

\* \* \*

Resolution adopted by vv.

Rep. Drake offered the following resolution:

### RESOLUTION

*Resolved*, that the Speaker may employ such professional assistants and consultants as may be deemed necessary and, with



the approval of the Appropriations committee, fix their compensation.

Resolution adopted by vv.

\* \* \*

Rep. Hackler offered the following resolution:

### RESOLUTION

*Resolved*, that the salary of the members of the House of Representatives be so divided that any member may receive one-fourth of his salary monthly for the first three months, the balance to be paid at the adjournment of the session, and be it further

*Resolved*, that mileage of members of the House of Representatives be paid every two weeks during the session.

Resolution adopted by vv.

\* \* \*

Rep. Fox offered the following resolution:

### RESOLUTION

*Resolved*, that the Clerk of the House be instructed to procure 1500 copies of a pamphlet containing membership of standing committees.

Resolution adopted by vv.

\* \* \*

Rep. Brungot offered the following resolution:

### RESOLUTION

*Resolved*, that the following policy be established for the distribution of House Journals, bills and joint resolutions to legislative agents, corporations and other persons, except the members of the General Court and state departments:

1. Every citizen is entitled to one copy of any publication free of charge at the legislative counter or to have the same mailed to him free of charge upon individual request for such one copy.

2. Persons requesting copies of all publications delivered complete for the entire session will be charged a fee sufficient to cover postage, envelopes and handling. Such fees may be pro rated where service is received for portions of the session only. All fees will be payable in advance.

3. All fees charged hereunder shall be fixed by the Sergeant-at-Arms with the approval of the Speaker and shall be collected by the Sergeant-at-Arms and paid in to the state treasury and credited to the legislative appropriation. Any house attache who works overtime to furnish any of the services hereunder shall be allowed such additional sum for his overtime services as the Appropriations Committee shall deem fair and reasonable.

\* \* \*

Resolution adopted by vv.

Reps. Logan and Raiche offered the following Concurrent Resolution No. 2:

*Resolved*, by the House of Representatives, the Senate concurring:

That the Speaker of the House of Representatives and the President of the Senate be and hereby are authorized to take over immediately such rooms in the state house or annex as may be necessary for the use of said House of Representatives and Senate for any legislative purposes.

Concurrent resolution adopted by vv.

#### ANNOUNCEMENT HONG KONG FLU VACCINE INJECTIONS FOR MEMBERS OF THE N.H. LEGISLATURE

An urgent request from members of the N.H. Legislature to have Hong Kong Influenza Vaccine injections made available to them through the Division of Public Health has been received.

In response to this request the Division of Public Health immediately tried to get the necessary vaccine and fortunately through the strenuous efforts of one of our drug company friends we were able to obtain a small additional amount. It will be made available initially to those members of the legisla-

ture over 60 years of age who wish it. Any balance will be available to those over 55 years of age, and to those with known chronic disease. The vaccine will be administered in the First Aid room at the State House on January 2nd between 10:00 A.M. and 12:00 noon.

An influenza outbreak is now with us and it should be definitely understood that the optimum time for immunization would have been around the first of November had the vaccine been available at that time. There is no assurance that anyone receiving the vaccine now will have time to build up an immunity before exposure to the disease.

Therefore it is imperative that legislators who decide to take the vaccine offered on January 2nd do so at their own risk fully understanding that they may not get the desired immunity in time to prevent illness.

\* \* \*

## INTRODUCTION OF HOUSE BILLS, JOINT RESOLUTIONS AND CONSTITUTIONAL AMENDMENT CONCURRENT RESOLUTIONS

Rep. McMeekin offered the following resolution and moved its adoption:

### RESOLUTION

*Resolved*, that in accordance with the list in the possession of the clerk, House Bills numbered 1 through 146 and House Joint Resolutions numbered 1 through 8 and Concurrent Resolutions Proposing Constitutional Amendments numbered 1 through 5 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

Be it further resolved, that said list be also printed in the journal for today.

\* \* \*

Resolution adopted by vv.

### HB 1

to provide for a citizens' task force to study the effectiveness of state government. (Logan of Sullivan Dist. 1, Johnson of Grafton Dist. 9 — To Appropriations.)

**HB 2**

relative to eligibility requirements for welfare benefits and to the duties of the advisory commission of the department of health and welfare. (Prescott of Belknap Dist. 10, Gile of Merrimack Dist. 5, and Maloomian of Strafford Dist. 6 — To Committee on Public Health, Welfare & Institutions.)

**HB 3**

relative to New England Aeronautical Institute to grant degrees. (Watson of Hillsboro Dist. 25 — To Education.)

**HB 4**

relative to referral of matters to the legislative council. (McMeekin of Grafton Dist. 6, and Morrill of Rockingham Dist. 7 — To Committee on Legislative Revision.)

**HB 5**

to extend the insurance premium tax to include hospital service corporations. (Mackintosh of Sullivan Dist. 2 — To Committee on Banks & Insurance.)

**HB 6**

to allow towns to combine the offices of town clerk and town treasurer. (Roberts of Belknap Dist. 6 — To Municipal & County Government.)

**HB 7**

relative to compensation of senate and house clerks and assistant clerk and relative to indexes for journals and session laws. (Newell of Merrimack Dist. 26 — To Legislative Revision.)

**HB 8**

relative to appointment of legislative budget assistant and director of legislative services. (Newell of Merrimack Dist. 26 — To Legislative Revision.)

**HB 9**

requiring that petitioners for approval to excavate, fill or dredge in or adjacent to tidal waters pay hearing expenses. (Junkins of Rockingham Dist. 16 — To Resources, Recreation & Development.)

**HB 10**

relative to registration and operation of snow traveling vehicles. (Hamel of Rockingham Dist. 17, Kopperl of Merrimack Dist. 12, and Drake of Coos Dist. 3 — To Judiciary.)

**HB 11**

relative to cooperative extension work at the university of New Hampshire. (Underwood of Rockingham Dist. 12, Bennett of Cheshire Dist. 9, and Fortier of Coos Dist. 6 — To Committee on Agriculture.)

**HB 12**

relative to recording copies of plans. (Junkins of Rockingham Dist. 16 — To Municipal and County Government.)

**HB 13**

relative to recording plats of individual plots. (Junkins of Rockingham Dist. 16 — To Municipal & County Government.)

**HB 14**

to prohibit certain promotional games. (Andersen of Merrimack Dist. 25 — To Statutory Revision.)

**HB 15**

relative to county appropriations for cooperative extension service (Noyes of Coos Dist. 1 — To Agriculture.)

**HB 16**

relative to licenses to operate motor vehicles. (Cate of Merrimack Dist. 20 — To Transportation.)

**HB 17**

relative to air rifles. (Cate of Merrimack Dist. 20 — To Statutory Revision.)

**HB 18**

relative to time for payment of state funds into the state treasury. (Fuller of Merrimack Dist. 26, and Raiche of Hillsboro, Dist. 34 — To Executive Departments & Administration.)

**HB 19**

providing that certain holidays be observed on Mondays each year. (MacKenzie of Cheshire Dist. 16 — To Constitutional Revision.)

**HB 20**

specifically including certain construction materials in the class of "merchandise" to be weighed by a public weigher. (Bednar of Hillsboro Dist. 23 — To Municipal & County Government.)



**HB 21**

providing for breath tests under implied consent law, and permitting registered nurses to draw blood for tests. (Fuller of Merrimack Dist. 26 — To Judiciary.)

**HB 22**

allowing local officials to reduce speed limits. (Fuller of Merrimack Dist. 26 — To Transportation.)

**HB 23**

relative to the unlawful consumption of alcohol by minors. (Fuller of Merrimack Dist. 26 — To Judiciary.)

**HB 24**

relative to the amount and evidentiary value of blood alcohol content. (Hamel of Rockingham Dist. 17 — To Judiciary.)

**HB 25**

to establish maximum and minimum speeds. (Bartlett of Merrimack Dist. 10 — To Transportation.)

**HB 26**

authorizing the establishment of professional associations. (Stafford of Belknap Dist. 12 — To Judiciary.)

**HB 27**

relative to the voluntary commitment of a person to New Hampshire Hospital. (MacDonald of Merrimack Dist. 25 — To Judiciary.)

**HB 28**

to empower the fiscal committee to appoint advisory panels. (Drake of Coos Dist. 3, Trowbridge of Cheshire Dist. 4, and Logan of Sullivan Dist. 1 — To Legislative Revision.)

**HB 29**

repealing the provisions for special number plates for motor vehicles of citizens band radio operators. (Hamel of Rockingham Dist. 17 — To Transportation.)

**HB 30**

providing that certain holidays be observed on Mondays. (Belcourt of Hillsboro Dist. 16 — To Constitutional Revision.)

**HB 31**

to provide that appointments to fill vacancies in boards of supervisors of the check-list shall be for the unexpired terms.

(Junkins of Rockingham Dist. 16 — To Municipal & County Government.)

**HB 32**

relative to certain power-driven equipment. (Wright of Hillsborough Dist. 25 — To Constitutional Revision.)

**HB 33**

relative to college requirements for registration in optometry. (Gay of Rockingham Dist. 5 — To Public Health.)

**HB 34**

relative to required equipment on motorcycles. (Greeley of Merrimack Dist. 16, Hamel of Rockingham Dist. 17 — To Transportation.)

**HB 35**

amending the reckless driving statute. (Greeley of Merrimack Dist. 16 — To Judiciary.)

**HB 36**

establishing a committee to study the model traffic ordinance for municipalities. (Hamel of Rockingham Dist. 17 — To Transportation.)

**HB 37**

providing for reimbursement by the state to towns and cities for the granting of certain veterans property tax exemptions. (Greene of Rockingham Dist. 22 — To Ways & Means.)

**HB 38**

increasing the fee for non-resident hunting licenses. (Heald of Hillsborough Dist. 10 — To Fish and Game.)

**HB 39**

relative to the penalty for misuse of fish and game licenses. (Tirrell of Strafford Dist. 4 — To Fish & Game.)

**HB 40**

relative to the use of deer coupons for the transportation of deer. (Heald of Hillsborough Dist. 10 — To Fish and Game.)

**HB 41**

relative to the power of the director of fish and game for the protection of deer herds. (Tirrell of Strafford Dist. 4 — To Fish and Game.)

**HB 42**

making appropriation for search and rescue of lost persons and other disasters. (Heald of Hillsborough Dist. 10 — To Fish and Game.)

**HB 43**

relative to fish and game licenses for members of armed forces. (Hayes of Carroll Dist. 3 — To Fish and Game.)

**HB 44**

increasing the penalty for violation of clam laws. (Tirrell of Strafford Dist. 4 — To Fish & Game.)

**HB 45**

to prohibit loaded firearms on snow traveling vehicles at anytime. (Heald of Hillsborough Dist. 10 — To Fish & Game.)

**HB 46**

to prohibit outboard motors on Big and Little Cherry Ponds in Whitefield. (Hayes of Carroll Dist. 3 — To Resources, Recreation & Development.)

**HB 47**

to allow greater flexibility in the use of funds appropriated for constructing and equipping a health training center at the state technical institute. (Smith of Merrimack Dist. 24 — To Appropriations.)

**HB 48**

relative to public works projects performed on force account basis. (Rep. Hayes of Carroll Dist. 3 — To Executive Department & Administration.)

**HB 49**

relative to restrictions on acquisition of lands by the state for fish and game propagation and other fish and game purposes. (Hayes of Carroll Dist. 3 — To Statutory Revision.)

**HB 50**

relative to carrying fish and game licenses. Hayes of Carroll Dist. 3 — To Fish & Game.)

**HB 51**

relative to power of arrests by fish and game conservation officers. (Heald of Hillsborough Dist. 10 — To Judiciary.)

**HB 52**

relative to removal of bob houses from public and private property. (Tirrell of Strafford Dist. 4 — To Fish & Game.)

**HB 53**

relative to powers of Hesser Business College to grant degrees. (Zachos of Hillsborough Dist. 27 — To Education.)

**HB 54**

authorizing Daniel Webster Junior College to grant associate degrees. (Watson of Hillsborough Dist. 25 — To Education.)

**HB 55**

authorizing White Pines College to grant associate degrees. (Underwood of Rockingham Dist. 12 — To Education.)

**HB 56**

relative to probate supplies. (Zachos of Hillsborough Dist. 27 — To Judiciary.)

**HB 57**

relating to judicial referees. (Nixon of Hillsborough Dist. 5 — To Judiciary.)

**HB 58**

relative to temporary leave for patients of the New Hampshire Hospital and requiring sheriffs to assist in returning them thereto. (MacDonald of Merrimack Dist. 25 — To Judiciary.)

**HB 59**

relative to investment or deposit of money borrowed in anticipation of taxes. (Saunders of Cheshire Dist. 14 — To Municipal & County Government.)

**HB 60**

prohibiting a person from holding at one time the offices of representative and county commissioner. (Allen of Cheshire Dist. 8 — To Municipal & County Government.)

**HB 61**

relative to special number plates for county commissioners. (Allen of Cheshire Dist. 8 — To Transportation.)

**HB 62**

enacting the Controlled Drug Act. (Zachos of Hillsboro Dist. 27 — To Public Health.)

**HB 63**

providing that all court terms in Grafton county shall be held at Woodsville. (McMeekin of Grafton Dist. 6 and Merrill of Grafton Dist. 13 — To Grafton County Delegation.)

**HB 64**

relative to control of aquatic nuisances. (Fuller of Merrimack Dist. 26, Urie of Belknap Dist. 1, and Belanger of Hillsborough Dist. 36 — To Resources, Recreation and Development.)

**HB 65**

lowering age of persons who may purchase and use alcoholic beverages to eighteen years. (Merrill of Grafton Dist. 13 — To Liquor Laws.)

**HB 66**

providing for the acquisition of water rights and dam at Sewalls Falls in Concord. (Smith of Merrimack Dist. 24, York of Merrimack Dist. 20 — To Resources, Recreation & Development.)

**HB 67**

relative to stenographers for judges of probate. (Zachos of Hillsborough Dist. 27 — To Judiciary.)

**HB 68**

relative to the color of school buses. (Bartlett of Merrimack Dist. 10 — To Transportation.)

**HB 69**

establishing the New London district court. (Andrews of Merrimack Dist. 1 — To Constitutional Revision.)

**HB 70**

relative to penalties for speeding. (Hamel of Rockingham Dist. 17 — To Transportation.)

**HB 71**

relative to filing with the secretary of state information regarding village districts established under the general laws. (Hamel of Rockingham Dist. 17 — To Statutory Revision.)

**HB 72**

granting zoning authority to the Seabrook Beach Village District. (Hamel of Rockingham Dist. 17 — To Municipal & County Government.)



**HB 73**

relative to filling vacancies in the house of representatives in multi-town districts. (Hamel of Rockingham Dist. 17 — To Judiciary.)

**HB 74**

to repeal the provisions for a meals and room tax. (Gay of Rockingham Dist. 5 — To Ways & Means.)

**HB 75**

relative to driving while intoxicated. (Bartlett of Merrimack Dist. 10 — To Judiciary.)

**HB 76**

to eliminate restrictions on the denominations of county bonds. (Gaffney of Sullivan Dist. 3 — To Municipal & County Government.)

**HB 77**

permitting abortion in certain cases. (Wallin of Hillsborough Dist. 14 — To Public Health.)

**HB 78**

restricting boating on Little Lake Sunapee in New London. (Andrews of Merrimack Dist. 1 — To Resources, Recreation & Development.)

**HB 79**

relative to the membership of the commission on interstate cooperation. (Roberts of Belknap Dist. 6 — To Executive Departments & Administration.)

**HB 80**

authorizing the election of tax assessors in towns. (Dawson of Strafford Dist. 1 — To Municipal & County Government.)

**HB 81**

relative to qualifications for bail commissioner. (Dawson of Strafford Dist. 1 — To Statutory Revision.)

**HB 82**

increasing the poll tax from two to five dollars. (Galbraith of Sullivan Dist. 7 — To Ways & Means.)

**HB 83**

relative to the legislative budget assistant. (Logan of Sullivan Dist. 1, Drake of Coos Dist. 3, Trowbridge of Cheshire Dist. 4 — To Legislative Revision.)

**HB 84**

relative to the fiscal committee. (Logan of Sullivan Dist. 1, Drake of Coos Dist. 3, Trowbridge of Cheshire Dist. 4 — To Legislative Revision.)

**HB 85**

requiring that a report of bear kill be made to deer receiving stations. (Tirrell of Strafford Dist. 4 — To Fish & Game.)

**HB 86**

relative to fees in the superior court. (Morrill of Rockingham Dist. 7 — To Judiciary.)

**HB 87**

relative to the distribution to and counting of ballots in additional polling places. (Morrill of Rockingham Dist. 7 — To Municipal & County Government.)

**HB 88**

providing for minimum annual allocation of road toll funds for the construction and maintenance of class IV and class V highways. (Morrill of Rockingham Dist. 7 — To Public Works.)

**HB 89**

authorizing the correction of certain technical errors prior to printing the statutes. (McMeekin of Grafton Dist. 6 — To Statutory Revision.)

**HB 90**

correcting certain errors in the housing standards law. (McMeekin of Grafton Dist. 6 — To Statutory Revision.)

**HB 91**

to require the public utilities commission to hold its hearings within the area served by the utility concerned. (Barker of Hillsborough Dist. 15 — To Executive Departments & Administration.)

**HB 92**

to specifically include women veterans in the class of persons eligible for admission to the soldiers' home. (Welch of Merrimack Dist. 27 — To Claims, Military & Veterans Affairs.)

**HB 93**

to clarify the statutes regulating the deadline for submission of articles to be inserted in the warrant. (Morrill of Rockingham Dist. 7 — To Municipal & County Government.)

**HB 94**

relative to preparation of bills for submission to the governor. (McMeekin of Grafton Dist. 6 — To Statutory Revision.)

**HB 95**

adopting the interstate regional planning compact and authorizing the state to enter into such compact with contiguous states. (Morrill of Rockingham Dist. 7 — To Resources, Recreation & Development.)

**HB 96**

authorizing presiding officers at additional polling places to administer certain oaths. (McMeekin of Grafton Dist. 6 — To Municipal & County Government.)

**HB 97**

legalizing the annual meeting of the town of North Hampton, March 12, 1968. (Leavitt of Rockingham Dist. 21 — To Statutory Revision.)

**HB 98**

relative to absentee voting in municipal elections in Nashua. (Barker of Hillsborough Dist. 15 — To Nashua Delegation.)

**HB 99**

relative to the salary of the register of deeds of Rockingham county. (Morrill of Rockingham Dist. 7 — To Rockingham Delegation.)

**HB 100**

requiring certain nursing homes to accept welfare cases. (Cate of Merrimack Dist. 20 — To Public Health.)

**HB 101**

authorizing Notre Dame College to confer certain associate degrees. (Zachos and Carrier of Hillsborough Dist. 27 — To Education.)

**HB 102**

to authorize town treasurers to appoint deputy town treasurers. (Junkins of Rockingham Dist. 14 — To Municipal & County Government.)

**HB 103**

relative to radiation protection and control. (Normandin of Belknap Dist. 9 — To Public Health, Welfare & Institutions.)

**HB 104**

relative to the time for transfer to the state of unclaimed racing ticket moneys. (Dubey of Coos Dist. 6 — To Ways & Means.)

**HB 105**

relative to authority of Franklin Pierce College to confer degrees. (Allen of Cheshire Dist. 8 — To Education.)

**HB 106**

relative to construction of sewage disposal systems near shorelines. (Urie of Belknap Dist. 1 — To Resources, Recreation & Development.)

**HB 107**

relative to removal of the director of the fish and game department. (McMeekin of Grafton Dist. 6 and Morrill of Rockingham Dist. 7 — To Executive Departments and Administration.)

**HB 108**

to establish a college of medicine at the university of New Hampshire. (Cote of Hillsborough Dist. 29 — To Education.)

**HB 109**

requiring full disclosure of salaries paid to lobbyists who are full time staff members of legislative interest groups. (Saunders of Cheshire Dist. 14 — To Executive Department and Administration.)

**HB 110**

relative to establishment of conservation areas by private persons. (Heald of Hillsborough Dist. 10 and Kopperl of Merrimack Dist. 12 — To Resources, Recreation & Development.)

**HB 111**

relative to actions against hospitals. (Reddy of Merrimack Dist. 5 — To Judiciary.)

**HB 112**

relative to use of funds held by the Trustees of the Boscawen Academy in Boscawen. (Mattice of Merrimack Dist. 17 — To Statutory Revision.)

**HB 113**

requiring school districts to conduct election of their officers by non-partisan ballots. (Hayes of Carroll Dist. 3 — To Municipal & County Government.)

**HB 114**

relative to reimbursement of orchardists for damage to trees and shrubs by game. (Hayes of Carroll Dist. 3 — To Agriculture.)

**HB 115**

legalizing certain votes at the 1968 town meeting in Madison. (Hayes of Carroll Dist. 3 — To Committee on Statutory Revision.)

**HB 116**

requiring fire resistant materials to be used in hospitals and other licensed health facilities. (Knight of Hillsboro Dist. 4 — To Committee on Public Health, Welfare & Institutions.)

**HB 117**

requiring automatic sprinkler system and certain fire resistant materials in hospitals and other licensed health facilities. (Roberts of Belknap Dist. 6 — To Committee on Public Health, Welfare & Institutions.)

**HB 118**

to transfer certain costs of the superior court from the counties to the state, and to impose a tax on cigarettes to finance a superior court fund. (Dion of Hillsborough Dist. 21 — To Committee on Ways & Means.)

**HB 119**

to improve management — employee relations in state employment. (McMeekin of Grafton Dist. 6 — To Committee on Executive Departments & Administration.)

**HB 120**

relating to long service state employees. (McMeekin of Grafton Dist. 6 — To Committee on Executive Departments & Administration.)

**HB 121**

relative to payment for damages caused by wild animals to livestock and poultry. (Fortier of Coos Dist. 6 — To Committee on Agriculture.)

**HB 122**

to provide an airways toll on jet fuel. (Smith of Merrimack Dist. 24 — To Committee on Ways and Means.)

**HB 123**

relative to rules and regulations of state department and agencies and filing thereof. (Morrill of Rockingham Dist. 7 — To Committee on Statutory Revision.)

**HB 124**

covering into the state personnel system certain non-academic employees of the University of New Hampshire and the state colleges. (Morrill of Rockingham Dist. 7 — To Committee on Executive Dept. & Administration.)

**HB 125**

relative to motor vehicle liability insurance policies held by insureds of 170 years or greater (Zachos of Hillsboro Dist. 27 — To Banks & Insurance.)

**HB 126**

reducing the basic work week of law enforcement employees to forty hours. (Dion of Hillsborough Dist. 21 — To Committee on Executive Departments & Administration.)

**HB 127**

relative to payment by the state in certain cases of the cost of educating children living in foster homes. (Daloz of Hillsboro Dist. 6 — To Public Health.)

**HB 128**

relative to the bureau of family care in the office of the director of mental health. (McLane of Merrimack Dist. 23 — To Public Health.)

**HB 129**

relative to the formation of non-profit corporations for mental health programs. (MacDonald of Cheshire Dist. 11 — To Statutory Revision.)

**HB 130**

relative to form of oaths for public officers and teachers. (O'Neil of Cheshire Dist. 12, & Manning of Hillsboro Dist. 31 — To Judiciary.)

**HB 131**

relative to certain tax exemptions. (Cate of Merrimack Dist. 20 — To Ways & Means.)

**HB 132**

relating to state employees group insurance. (Fuller of Merrimack Dist. 26 — To Executive Departments & Administration.)



**HB 133**

prohibiting motor boats on Willard Pond in Antrim. (Daloz of Hillsboro Dist. 6 — To Resources, Recreation & Development.)

**HB 134**

relative to nurses and infirmaries in industrial establishments. (Hunt of Coos Dist. 2 — To Labor, Human Resources & Rehabilitation.)

**HB 135**

to abolish the water commission in the town of Charlestown and transfer its functions to the selectmen. (Frizzell & Galbraith of Sullivan Dist. 7 — To Municipal & County Government.)

**HB 136**

legalizing proceedings at the special meeting of the Hollis School District held in the town of Hollis on October 1, 1968. (Brocklebank of Hillsboro Dist. 13 — To Statutory Revision.)

**HB 137**

providing additional (cost of living) retirement allowances for state employees who retired subsequent to July 1, 1961 and prior to January 1, 1968. (Fuller of Merrimack Dist. 26 — To Executive Departments & Administration.)

**HB 138**

to establish a Seabrook District Court. (Hamel & Randall of Rockingham Dist. 17 — To Judiciary.)

**HB 139**

to change the name of the Laconia State School. (Martin of Belknap Dist. 8 — To Public Health.)

**HB 140**

relative to time and place for holding probate court in Rockingham county. (Zachos of Hillsborough Dist. 27 — To Rockingham Delegation.)

**HB 141**

providing for the reporting of all serious accidents to local police authority, and prohibiting wrecker devices from removing vehicles involved in accidents before police have been called. (Fuller of Merrimack Dist. 26 — To Transportation.)

**HB 142**

providing for an increasing additional retirement allowances for state employees who retired prior to July 1, 1961. (Fuller of Merrimack Dist. 26 — To Executive Departments & Administration.)

**HB 143**

providing cost of living retirement allowances for state employees who shall have retired subsequent to January 1, 1968 and prior to December 31, 1969. (Fuller of Merrimack Dist. 26 — To Executive Departments & Administration.)

**HB 144**

relative to the number of justices of the superior court. (Nixon of Hillsborough Dist. 5 — To Constitutional Revision.)

**HB 145**

relative to the establishment of a maximum speed limit on all highways. (Fuller of Merrimack Dist. 26 — To Transportation.)

**HB 146**

requiring that an institution of higher learning which has ceased to conduct courses file its records with the coordinating board. (Clark of Strafford Dist. 4 — To Education.)

**HJR 1**

in favor of Julie Locke and Herve Pelchat. (MacDonald of Merrimack Dist. 25 — To Claims, Military & Veterans Affairs.)

**HJR 2**

providing an appropriation toward reconstruction of Fort at Number Four. (Galbraith and Frizzell of Sullivan Dist. 7 — To Appropriations.)

**HJR 3**

to authorize a mosquito control survey. (Greene of Rockingham Dist. 22 — To Public Health.)

**HJR 4**

appropriating additional funds for a nursing home at the New Hampshire Soldier's Home. (Welch of Merrimack Dist. 27 — To Committee on Appropriations.)

**HJR 5**

in favor of Lawrence E. Philbrook. (Fortier of Coos Dist. 6 — To Committee on Claims, Military & Veterans Affairs.)

**HJR 6**

revoking the degree granting powers of Franconia College. (Saunders of Cheshire Dist. 14 — To Education.)

**HJR 7**

establishing a committee to study the economic impact of classification of land for taxing purposes as open space, farm and forest lands and recommending legislation to implement the same. (McMeekin of Grafton Dist. 6 — To Ways and Means.)

**HJR 8**

to fund a nursing education aid program. (Cate of Merrimack Dist. 20 — To Public Health.)

**CACR 1**

Relating to: Compensation of the Members of the Legislature.

Providing That: A Commission shall biennially Set the Rate of Compensation for the Members of the Legislature. (Logan of Sullivan Dist. 1 — To Constitutional Revision.)

**CACR 2**

Relating to: Methods of Proposing Constitutional Amendments.

Providing That: Approval by Two Biennial Assemblies of the General Court before a Question May be Submitted to Voters. (Newell of Merrimack Dist. 26 — To Constitutional Revision.)

**CACR 3**

Relating to: Certain military officers holding offices in the state government.

Providing That: Military officers who are not serving on active duty for more than thirty days a year are not disqualified from holding the office of governor, or a seat in the general court, or council. (Andrews of Merrimack Dist. 1 — To Constitutional Revision.)

**CACR 4**

Relating to: Establishing a Four Year Term for Governor and Limiting any Person to Two Consecutive Terms.

Providing That: The governor shall be chosen Quadrennially and no Person shall Serve More than Two Terms Con-

secutively. (Coggeshall of Sullivan Dist. 6 — To Constitutional Revision.)

### CACR 5

Relating to: Certain County Offices Being Appointive Rather than Elective.

Providing That: County Treasurers, Registers of Probate, County Attorneys, Sheriffs and Registers of Deeds shall be appointed by County Commissioners who shall be elected. (Coggeshall of Sullivan Dist. 6 — To Constitutional Revision.)

Rep. Williamson offered the following amendment.

*Resolved*, that the House Rules adopted by the 1967 session be further amended by striking out the last sentence of proposed amendment 36-a and inserting in its place the following: Said Coordinating Committee shall have the responsibility of ensuring the proper flow of information between said Appropriations and Ways and Means Committees.

\* \* \*

Rep. Trowbridge spoke in favor of the amendment.

Amendment adopted by vv.

### NOTICE BY SPEAKER

County Conventions will meet for purposes of organization on the second Wednesday in January. (Chapter 24 Rev. Stat.)

On motion of Rep. Stafford the Rules of the House were so far suspended as to permit business in order at the late session to be in order at the present time, and that when the House adjourns it adjourn to meet tomorrow at 11 A.M.

### AFTERNOON SESSION

On motion of Rep. Frizzell the House adjourned at 4:50 P.M.

*Thursday, January 2, 1969*

The House met at 11:00 o'clock.

JOINT CONVENTION  
PLEDGE OF ALLEGIANCE

Rep. Sawyer led the Convention in the Pledge of Allegiance to the Flag.

HOUSE  
LEAVES OF ABSENCE

Reps. Arthur Drake, Blair, Hamel and Gaffney were granted leave of absence for the day on account of illness.

Rep. Lockhart was granted leave of absence for the day to attend a funeral.

\* \* \*

RESOLUTION

Rep. Bigelow offered the following Resolution:

*Resolved*, that in accordance with the list in the possession of the clerk, House Bills numbered 147 through 159 and House Joint Resolution 9 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

(discussion ensued)

Resolution adopted by vv.

INTRODUCTION OF HOUSE BILLS AND  
HOUSE JOINT RESOLUTION

**HB 147**

relative to the larceny of deer. (Huggins of Coos Dist. 1 — To Fish & Game.)

**HB 148**

relative to setting an absolute speed limit on certain state highways. (Andrews of Merrimack Dist. 1 — To Transportation.

**HB 149**

relative to extending the jurisdiction of local police by consent. (Andrews of Merrimack Dist. 1 — To Municipal & County Government.)

**HB 150**

relative to lights on a motor vehicle. (Goodrich of Rockingham Dist. 13 — To Transportation.)

**HB 151**

to establish a state liquor store in the town of Raymond. (Greenwood of Rockingham Dist. 12 — To Liquor Laws.)

**HB 152**

to prohibit the construction or conversion of structures built over the waters of the state for the purpose of dwelling therein. (Mutzbauer of Belknap Dist. 7 — To Resources, Recreation & Development.)

**HB 153**

relative to insurance of state owned property. (Sullivan of Dist. 9 — To Banks & Insurance.)

**HB 154**

relative to abandoned or neglected cemetery lots. (Merrill of Grafton Dist. 13 — To Statutory Revision.)

**HB 155**

relative to power of director of fish and game in removing nuisance animals, birds and fish. (Huggins of Coos Dist. 1 — To Fish & Game.)

**HB 156**

increasing fees of agents for issuance of fish and game licenses. (Huggins of Coos Dist. 1 — To Fish & Game.)

**HB 157**

relative to carrying loaded pistols or revolvers in motor vehicles. (Huggins of Coos Dist. 1 — To Judiciary.)

**HB 158**

repealing the provisions of the act relative to subversive activities. (Manning of Coos Dist. 2 — To Judiciary.)

**HB 159**

relative to penalties for use of a gun or another lethal weapon while committing or attempting to commit a felony. (Hoar of Rockingham Dist. 13 — To Judiciary.)

**HJR 9**

appropriating funds to the towns of Pittsburg and Clarks-ville in lieu of taxes on Francis Dam. (Noyes and Huggins of Coos Dist. 1 — To Appropriations.)



Rep. Cleon Heald moved that the order whereby HB 62 was referred to Public Health and State Institutions be vacated and that the bill be referred to Judiciary.

Motion adopted by vv.

Rep. Stevenson offered the following Resolution:

### RESOLUTION

*Resolved*, That the Honorable Senate be notified that the House of Representatives will be ready to meet the Senate in Joint Convention at 11:45 o'clock for the purpose of receiving His Excellency, the Governor, and to hear any communication he may be pleased to make, and for the transaction of such other business as may properly come before such convention.

\* \* \*

Resolution adopted by vv.

### SENATE MESSAGE

The Senate has passed the following resolution, in the passage of which it asks the concurrence of the House of Representatives:

*Resolved*, that the Senate is ready to meet with the House of Representatives in Joint Convention at 11:45 o'clock for the purpose of receiving his Excellency the Governor and to hear any communication he may be pleased to make, and for transaction of such other business as may properly come before such convention.

\* \* \*

Rep. Bednar moved that the Rules of the House be so far suspended as to take action on HJR 10 at the present time and that the Resolution be ordered to a third reading.

The Clerk read the Resolution in full.

### RESOLUTION

directing the secretary of state to conduct a recount of the ballots cast on proposed constitutional amendment number seven  
voted on at the 1968 biennial election.

That, any other provision of law notwithstanding, the ballots cast in the 1968 biennial election on the question "7. Do you favor amending the Constitution so that the legislature may provide for assessment of any class of real estate at valuations

based upon the current use thereof?" shall not be destroyed, and that the secretary of state shall conduct a recount of said ballots to determine whether said question was validly passed.

Reps. Bednar and Cares spoke in favor of the motion.

Rep. Underwood spoke against the motion.

Discussion ensued.

The Chair deferred other action on HJR 10 until after the Inauguration.

## JOINT CONVENTION

### Report

Senator Koromilas from the 21st District offered the following report:

The Joint Committee appointed to wait upon Honorable Walter R. Peterson, Jr. and inform him officially of his election as Governor of the State of New Hampshire reports that it has attended to its duty; that the Governor-elect has accepted the said office and will meet the Senate and House of Representatives in Convention at the earliest convenient time to take the oath of office and make such communication as may properly come before such convention.

The report was accepted.

### Report

Senator English from the 11th District offered the following report:

The Joint Committee appointed to wait upon Stephen W. Smith, Robert E. Whalen, Joseph J. Acorace, Bernard A. Streeter, Jr. and James H. Hayes to inform them officially of their election to the Honorable Council, reports that it has attended to its duties and that all of the gentlemen named have accepted the office.

The report was accepted.

## INAUGURATION

The Governor-elect and the Councilors-elect entered the House.

The President of the Senate, Stewart Lamprey, administered the oath of office to His Excellency, Walter R. Peterson,

Jr. and proclaimed Mr. Peterson Governor, and presented him with a copy of the state constitution.

A prayer for Peace was offered by Rev. George Papioannou of St. George Greek Orthodox Church.

His Excellency, the Governor, then administered the oath of office to the Honorable Councilors.

A Prayer of Thanksgiving was offered by Rabbi Samuel Umen, Temple Adath Yeshurun.

The Governor then delivered his inaugural address as follows:

### INAUGURAL ADDRESS

Mr. Speaker, Mr. President, Members of the General Court: While my thoughts and feelings are primarily involved in the special occasion of this day, I must confess that I find a certain comfort and pleasant familiarity at this rostrum. This is a place of honor and I congratulate you, Mr. Speaker, in assuming it and you, members of the House of Representatives, on your choice of a leader. You, Mr. President, particularly can appreciate my feelings for this place where you served three terms as Speaker. I recall with pleasure serving under you as majority leader and congratulate you on your continuing in the vital post to which you have succeeded. The caliber of your leadership is certainly attested to by your selection as president of the National Association of Legislative Leaders.

The state as well as the General Court will benefit from this wise choice of leadership.

Although many members of the House and several of its Speakers have subsequently been elected Governor, it is, I believe, rare if not unique for one to move directly from the Speaker's to the Governor's chair. I mention this only to emphasize my hope and expectation of a close and understanding relationship between the Legislature and the Executive.

Certainly today's activities should not pass without reference to the fact that they mark a significant anniversary. The General Court first convened in this very room 150 years ago. Our State House is the oldest in the country in which the Legislature still occupies its original quarters — enlarged twice and otherwise slightly altered, but still the same place.

So, we have plenty of tradition here. And while I know that we shall respect tradition and that which is old and good, I am going to propose that we look back *only* to give the past what is appropriately its due — to secure its memory — and that we then vigorously attack our current problems, to seek new goals and new directions for the future.

We must respond to the forces of great change that are challenging our society, our nation, and our world. We cannot, you and I, serve New Hampshire well if we become tangled and immobile in the bonds of tradition — however honorable that tradition.

We cannot be witness to the spectacular exploits of Apollo 8 without being convinced that man and society are dynamic. Nor can we view the non-celestial signs of human change, so disturbingly constant, and remain content with the comfortable commitments of a few years ago. What has been adequate will no longer serve. A dramatic flight around the moon captures our imagination. Perhaps in some way the realization of what men *can* do with their skills, resourcefulness, dedication, and exhaustingly hard work may have an application to the less spectacular goals that we here set for ourselves. We are not called upon to fly to the moon, but we *are* called upon to fix a new direction for our state government.

We must recognize the great challenge faced by our state — the challenge of change.

New Hampshire is caught up in mushrooming growth that is making us the fastest growing state among the New England states and one of the fastest growing in the nation.

While this growth has its positive side as measured in greater job opportunities for our citizens, it poses new challenges as well. The purity of our air and water are under increased attack, and our school and transportation systems have been severely tested. Put simply — we must master the forces of growth and change or be overwhelmed by them.

The challenge we face is made more difficult by the realization that we live in a highly competitive and mobile society which in large measure ignores state boundaries. We must compete with all the other New England states for good teachers and competent state employees. We must remember that we are

in national competition to attract desirable industry and our share of the tourist dollar.

To attack these growing problems, I have proposed the creation of a Citizens Task Force whose purpose will be to study the entire range of the need for governmental service in our state, and especially to determine whether we are making the best use of the manpower and resources which we are now allocating to government. Similar studies in states such as Ohio, California, Wisconsin, Arkansas, Nevada and many others have resulted in increased efficiency and substantial savings for the citizens of these states and have proven the wisdom of this approach.

To conduct this research, we must utilize the great, untapped talent reservoir which exists in New Hampshire — the many talented, concerned citizens who care about New Hampshire and are willing to give of their time and energy to find solutions to the problems of our state. We should back them up with the necessary staff and consultant help to insure that they do a thorough and meaningful job and we should count this as an investment in the future of our state.

Any such Citizens Task Force, to be effective, must have the complete backing of the Governor. This effort will be the number one priority of my administration, and I intend to vigorously back up the reasonable recommendations of the Citizens Task Force.

It is equally important that the Citizens Task Force complete its report at the earliest date consistent with thorough examination and evaluation of the facts, so that any recommendations may receive due consideration by this General Court.

For this reason I have proposed that a report date for the Task Force be set for this coming fall. It is my present intention to call you back for a Special Legislative Session to consider the recommendations of the Citizens Task Force when they are finalized. With this thought in mind, it is my earnest hope that the running start already in evidence for this session could lead to an early adjournment on or near the first of June to minimize the cost of the extra session to our taxpayers.

I believe that the Citizens Task Force, working with competent and experienced professional consultants can help us to determine whether the use of personnel and the procedures of



our government are as modern and up-to-date as the times we live in. Our state government has undergone rapid growth in the number of state employees in recent years. We must determine whether or not this growth has been orderly or whether duplication and inefficiency have crept in as departments have burgeoned. This type of detailed study can only be done by full time consultants working day to day with the departments to determine that each and every employee is working to his full capacity and that modern management techniques are being utilized.

Another important aspect of the Citizens Task Force should be mentioned. There is a growing realization among all of the nation's governors, and within the incoming administration in Washington that the number of federal assistance programs to the states has unduly proliferated. There are literally hundreds of federal programs in the fields of health, education and welfare, and just the cost of administration alone is a heavy burden on the taxpayers. There is a growing belief that the states should be allowed to spend the money in these areas as they deem most beneficial, and that the federal government should make a block grant of funds to the states for this purpose.

As this block grant concept continues to gain acceptance and hopefully will be enacted into law in Washington, I feel certain that there will be a requirement that the states devise a plan as to how they intend to spend these funds. I would hope that the Citizens Task Force would lay the foundation for the preparation of such a plan so that we will be able to respond quickly and efficiently to any request for an explanation of New Hampshire's spending plans.

I ask your support in this ambitious attempt to move New Hampshire forward with economy and efficiency.

Although I believe that the Citizens Task Force holds out the best hope for efficient and orderly progress in our governmental service, we all know that there are pressing problems which must be met during *this* session of the Legislature.

In the past six years the number of state employees has increased by 1000 to the present total of 6300 and we are now faced with requests for over 1200 new positions. The cost of these additional employees, when combined with related costs such as additional furniture, equipment and office space, makes up a



substantial portion of the difference between budgetary requests of \$450 million and anticipated revenue for this coming biennium.

For this reason, I intend to propose in my Budget Message to you a hold-the-line budget with increases related to normal revenue growth. Clearly, it would be unwise to hire large numbers of new employees until we have the detailed analysis the Citizens Task Force personnel study can provide.

At the present time it is anticipated that, unless decisive administrative action is taken, there will be a deficit of 2.3 million dollars at the end of this biennium. It is for this reason that I intend to issue an executive order today that no new personnel be hired without the prior approval of the Governor. This approval will be given only when I am convinced that the need is clear-cut and that failure to hire the personnel will clearly decrease our ability to meet the needs of the people.

In conjunction with my decision to present a hold-the-line budget is my determination to put an end to the practice of passing inadequately funded legislation. No bill offering any new service that is not adequately funded should become law in this state. During the campaign I pledged to return to the Legislature any such bill. *I now repeat that pledge.*

I believe that it is essential that we do not deceive the public or ourselves by passing legislation which promises new or expanded services which remain unfunded.

An example of such a law which has remained on the books with grossly inadequate funding is the Foundation Aid Law for public education. Because I consider it absolutely essential that substantial progress toward equal educational opportunity for all our young people be made within the next two years, my Budget Message will contain a proposal to replace the present Foundation Aid Law which has been criticized by educators and laymen alike.

In the area of public school education we must recognize and honor the teachers' legitimate requests for improved status. Toward this end I shall propose the enactment of a Professional Negotiations Law. Such a law should contain a no-strike clause to protect our children from disastrous interruptions in their studies.

For many years our private and parochial schools have added strength to our educational system.

Because of rising costs, many of these schools are finding it increasingly difficult to survive. In the past year, the closing of a parochial school in the town of Greenville has shown us all what the survival of these schools means to us in terms of tax dollars.

At an early date, legislation will be proposed to set up a special committee to determine proper and legal ways in which the state can help these schools so that action can be taken during this biennium.

The people of New Hampshire have every reason to be proud of their state university system and I should like to reaffirm my full confidence in its administration and trustees. At a time when many university campuses across the country have been subjected to irrational excesses in dissent and protest, the University of New Hampshire's students, faculty and administration have exhibited an admirable responsibility in their determination to protect the basic right of dissent while preserving the fundamental liberties of all members of the community.

The most valuable thing our young people can acquire is an education. The costs of such an education have increased materially in recent years, and many students are finding it increasingly difficult to find the funds necessary. For this reason, I shall propose a Student Loan Program to provide loans for advanced education guaranteed by the state of New Hampshire with the student responsible for repaying the loan after graduation. Loans will be made available to students attending colleges, universities, technical schools, and other institutions of higher learning.

A student borrowing money to help pay for his own education will have an incentive to see to it that he gets the full benefit of the training he is receiving. Thus, such a loan program builds that quality of responsibility which is good for the student and good for his state.

There are many areas of concern among our people which must receive your attention and mine. I will mention a few.

We are deeply concerned with the problems of the elderly and the retired citizens of our state as they face the problem of

attempting to live in an inflationary economy while their income remains rigid. I intend to propose legislation that will lessen the tax burden on such persons so that state and local governments may assist them in meeting the increased costs of the present day.

It is one of my fundamental beliefs that a primary aim of Government should be to assist people who are handicapped to become producers in our society.

For the past two years, I have had the privilege of serving on Governor King's Commission on Vocational Rehabilitation. This commission and others who have dealt with the problems of less fortunate citizens will be presenting programs to you. I hope you will give them your sympathetic and understanding consideration. There is no better investment for a state than to invest in its people.

The fact that our deeply distressing record in traffic deaths has become so familiar to us that many of our citizens hardly seem aware of it must not be allowed to inhibit strong action in the area of highway safety. We must also recognize the need to provide better training opportunities for our law enforcement personnel.

With an expanding population and an increase in urban growth, conservation and land use become more and more areas which must concern us. New Hampshire is at the crossroads, and action must be taken now to preserve the quality of life as we have known it. The control of water and air pollution must continue to receive a high state priority.

During my campaign, I promised to attempt to bring the government and the people together. I am convinced that there must be a sense of community between the people and their government, if there is to be progress. As a start in fostering this sense of community, I shall hold regular office hours in the three northern counties at which I hope to hear personally the views and opinions of our people. There will also be regular office hours for the general public at the Governor's office in the State House.

I have pledged to attempt to move New Hampshire forward. This is not a one man job. I can try and I will try, but only we can succeed. The government of New Hampshire is

more than the Executive and the Legislature. It is more than all the state departments and institutions. It is, in truth, all our citizens who share in the benefits of the state as a community. To all who share these benefits, I issue a call today to share in the effort to get New Hampshire moving on a new course toward increased fulfillment for all her people.

New Hampshire needs to hear your voice. New Hampshire needs to feel your energy. New Hampshire needs to sense your hope.

\* \* \*

Rt. Reverend Charles F. Hall, Episcopal Bishop of New Hampshire offered Benediction.

On motion of Senator Lamontagne of the 1st District the Convention rose.

\* \* \*

## HOUSE RESOLUTION

Rep. Ratoff offered the following resolution:

*Resolved*, That the House of Representatives has listened with gratification to the message of Governor Walter Peterson and hereby expresses to him the high esteem in which we hold him.

\* \* \*

Resolution adopted by vv.

## RESOLUTION

Rep. McGrail offered the following resolution:

*Resolved*, That the Clerk be instructed to have the address of Governor Walter Peterson printed in the Journal and that 600 additional copies be printed in pamphlet form.

\* \* \*

Resolution adopted by vv.

## AFTER RECESS

The question before the House being on the motion of Rep. Bednar that the Rules of the House be so far suspended

as to dispense with committee report and public hearing on HJR 10 and that the Resolution be taken up and put on third reading at the present time.

Reps. Stafford and Elmer Johnson spoke against the motion.

Reps. Stevenson, Bridges, Raiche, Brungot, Coutermarsh, Griffin and Van Gardner spoke in favor of the motion.

\* \* \*

### Parliamentary Inquiry

Rep. Williamson rose on a point of Parliamentary inquiry.

Discussion ensued.

Rep. Maloomian moved the previous question.

Motion adopted by vv.

The question now being on the Bednar motion to dispense with public hearing and committee report on HJR 10.

The Speaker announced that a vote to suspend the Rules would take a 2/3 vote of the members present.

174 members having voted in the affirmative and 128 in the negative, the motion lost.

\* \* \*

Rep. Stevenson offered the following resolution:

### RESOLUTION

*Resolved*, That the Secretary of State be instructed to inform all town clerks to retain all votes cast on constitutional questions until such time as the Legislature has time to act upon HJR 10.

\* \* \*

The Clerk read the resolution in full.

Rep. Stevenson spoke in favor of the resolution.

Discussion ensued.

Rep. McMeekin spoke against the resolution.

Resolution lost by vv.

## SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following concurrent resolutions:

**CR 2**

That the Speaker of the House of Representatives and the President of the Senate be and hereby are authorizd to take over immediately such rooms in the state house or annex as may be necessary for the use of said House of Representatives and Senate for any legislative purposes.

## QUALIFIED

The following Representatives appeared before His Excellency Governor Peterson, were sworn in and took their seats in the House of Representatives: Campbell, D'Amante, Nahil and Nighswander.

\* \* \*

Rep. Stafford moved that the House now adjourn from the early session, and that when the House adjourns today it be to meet on Tuesday next at 1 P.M.

\* \* \*

Rep. Raiche extended remarks concerning certain committee appointments.

Rep. Logan also extended remarks on the same subject.

\* \* \*

On motion of Rep. Leo Dion the House adjourned at 2:26 p.m.



*Tuesday, January 7, 1969*

The House met at 1:00 P.M.

## JOINT CONVENTION

Prayer was offered by Guest Chaplain, Rev. William L. Shafer of Chichester as follows:

Almighty God — grant unto these, Thy servants to whom hast been committed the responsibilities of our Granite State of New Hampshire, the wisdom of concern, the strength of body, and the courage of conviction to faithfully execute their constitutional duties. Endow each member of this Joint Convention with the vision to see their mission clearly and decisively. Defend and protect those precious freedoms that enriches our heritage and safeguards our future. As we witness Thy divine and merciful love, may we strive together to build a better world, with peace among men of good will, through our testimony of faith in our fellow citizens. Give us strength, O God, to do Thy will, with malice towards none and justice for all. Amen.

## PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Hayes led the Convention in the Pledge of Allegiance to the Flag.

## HOUSE

## LEAVES OF ABSENCE

Reps. Lang and Gagnon were granted leave of absence for the day on account of illness.

Reps. Lavallee and Lockhart were granted leave of absence for Tuesday and Wednesday on account of illness.

Reps. Levasseur and Battenfeld were granted leave of absence for the week on account of illness.

Rep. Rousseau was granted an indefinite leave of absence on account of illness.

Rep. Bigelow offered the following resolution:

*Resolved*, that in accordance with the list in the possession of the Clerk, House Bills 160 through 176 and House Joint Resolution 11 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committee.

Resolution adopted by vv.

## INTRODUCTION OF HOUSE BILLS AND HOUSE JOINT RESOLUTIONS

### **HB 160**

relative to expiration date for trapping licenses and required report of yearly catch. (Huggins of Coos Dist. 1 — To Fish & Game.)

### **HB 161**

relative to new instructional buildings, new non-academic buildings, and alterations to the present university plant. (O'Neil of Cheshire Dist. 12, & Clark of Strafford Dist. 4 — To Public Works.)

### **HB 162**

to aid municipalities for water pollution control by state contribution for costs prior to receipt of federal funds. (Urie of Belknap Dist. 1, Junkins of Rockingham Dist. 16, and Fortier of Coos Dist. 5 — To Resources, Recreation & Development.)

### **HB 163**

making it illegal to drive while under the influence of hallucinogenic drugs. (Smith of Strafford Dist. 14, Andrews of Merrimack Dist. 1, and Mann of Hillsboro Dist. 7 — To Transportation.)

### **HB 164**

relative to the size of pages of the volumes of the session laws. (Trowbridge of Cheshire Dist. 4 — To Statutory Revision.)

### **HB 165**

to give the superior court power to compel disclosure of insurance coverage. (Nixon of Hillsboro Dist. 5 — To Judiciary.)

**HB 166**

to apply a rule of comparative negligence in tort cases. (Nixon of Hillsboro Dist. 5 — To Judiciary.)

**HB 167**

making town meeting day a legal holiday. (Stimmell of Rockingham Dist. 1 — To Municipal & County Government.)

**HB 168**

relative to the issuance of special fishing permits by certain state institutions. (Welch of Merrimack Dist. 27 & Tarr of Merrimack Dist. 28 — to Fish and Game.)

**HB 169**

relative to landowner's duty of care to users of snow traveling vehicles. (Spaulding of Sullivan Dist. 4 — To Judiciary.)

**HB 170**

relative to tax exemption for totally disabled veterans. (Vachon of Hillsboro Dist. 40 — To Ways & Means.)

**HB 171**

relative to filing declarations of candidacy for delegate to a national convention. (Sterling of Hillsboro Dist. 2 — To Judiciary.)

**HB 172**

relative to the size of the fish and game commission. (Morrill of Rockingham Dist. 7 — To Executive Departments & Administration.)

**HB 173**

relative to the penalties for driving after suspension or revocation of operator's license. (Tripp of Strafford Dist. 15 — To Judiciary.)

**HB 174**

establishing the Meredith district court. (Urie of Belknap Dist. 1, & Allan & Lawton of Belknap Dist. 2 — To Constitutional Revision.)

**HB 175**

establishing a college of life sciences and agriculture, a school of health studies, a school of social work, and a school of architecture and environmental studies at the University of New Hampshire. (Clark & Tirrell of Strafford Dist. 4, and Rep. Morrow of Strafford Dist. 3 — To Education.)

**HB 176**

legalizing proceedings at the special meeting of the Pembroke School District held in the town of Pembroke on December 10, 1968. (Robinson and Goff of Merrimack Dist. 9 — To Statutory Revision.)

---

**HJR 11**

in favor of the North Conway fire department for rescue operations. (Davis of Carroll Dist. 2 — To Claims, Military & Veterans Affairs.)

\* \* \*

Representative Knight of Goffstown moved that the reference of HB 116, An Act requiring fire resistant materials to be used in hospitals and other licensed health facilities, to committee be vacated and that the bill be indefinitely postponed.

Motion adopted by vv.

\* \* \*

Representative Roberts of Belknap 6 moved that his name be withdrawn as a sponsor of HB 117, An Act requiring automatic sprinkler systems and certain fire resistant materials in hospitals and other licensed health facilities, and that Representative Knight of Hillsborough 4 be substituted as sponsor of said bill.

Motion adopted by vv.

\* \* \*

**RESOLUTIONS**

Representative Stevenson proposed the following resolution and moves its adoption:

That the first paragraph of House Rule 32 be amended by inserting after the word "Agriculture" the words (and Rural Development) so that said paragraph, as amended, shall read as follows:

32. The following standing policy committees, to consist normally of twenty-one members each, shall be appointed at the commencement of any session: Committees on Agriculture

and Rural Development; Appropriations; Banks and Insurance; Claims, Military and Veterans Affairs; Constitutional Revision; Education; Executive Departments and Administration; Fish and Game; Judiciary; Labor, Human Resources and Rehabilitation; Legislative Revision; Liquor Laws; Municipal and County Government; Public Health, Welfare and State Institutions; Public Works; Resources, Recreation and Development; Statutory Revision; Transportation and Aeronautics; and Ways and Means, and

That the third paragraph of House Rule 32 be amended by inserting after the word "Agriculture" the words (and Rural Development) so that said paragraph, as amended, shall read as follows:

It shall be the duty of the Committee on Agriculture and Rural Development to take into consideration all matters concerning the agricultural and farm problems of the state, the various agricultural organizations, and such other matters as may be referred to it.

Rep. Stevenson moved that the reading of the amendment be dispensed with.

Motion adopted by vv.

Rep. Stevenson explained the amendment.

Rep. Underwood spoke against the amendment.

Rep. Stevenson withdrew his amendment.

### SPECIAL ORDER

Rep. Newell called for the Special Order for 1:01 P.M.

*Resolved*, that the Committee on Appropriations, in each bill making a year's appropriations for expenses of state government, shall prepare and include budgets for each branch agency and office, including interim committees of the legislature in the same form and detail required for other branches and departments of state government; and further be it

*Resolved*, that, subject to approval by the Committee on Appropriations, the legislative budget assistant shall prepare a manual of procedure for handling and controlling all monies appropriated for expenses of branches, agencies, offices and

committees of the legislature for the current and subsequent fiscal years which manual shall be consistent and compatible with the manual of procedure used by the other branches and departments of state government.

The Clerk read the resolution in full.

Rep. Newell spoke in favor of the resolution.

(discussion ensued)

Rep. Bridges spoke against the resolution.

Rep. Logan moved that the resolution be referred to the Committee on Appropriations for further study.

Rep. Newell spoke in favor of the motion.

Motion adopted by vv.

\* \* \*

## PARLIAMENTARY INQUIRY

Rep. Vachon rose on a point of Parliamentary Inquiry.

## PERSONAL PRIVILEGE

Reps. Brungot and Hamilton rose on a point of Personal Privilege.

At the request of the Speaker, the Clerk read from Mason's Manual of Legislative Procedure Rules 222 and 223 regarding personal privilege as follows:

Paragraph 222

### *Questions of Personal Privilege*

1. Questions affecting the rights, reputation and conduct of members of the body in their representative capacity are questions of personal privilege.

2. Questions of privilege of a member must relate to a person as a member of the body or relate to charges against his character which would, if true, incapacitate him for membership, and he is not entitled to the floor on a question of personal privilege unless the subject which he proposes to present relates to him in his representative capacity.



3. A person raising a question of personal privilege must confine himself to the remarks which concern himself personally, and when speaking under a personal privilege, a member has no right to defend any person other than himself.

#### Paragraph 223

##### *Questions Not Constituting Personal Privilege*

1. A charge in the public newspaper against a member is not a question of personal privilege so long as the charge, if true, would not incapacitate him from membership.

2. A newspaper article merely criticizing a member's acts in a house does not constitute a question of personal privilege, nor does a newspaper article charging a person with disreputable conduct before he became a member, nor a like criticism of a member personally and not in his capacity as a member.

3. The fact that the presiding officer may have refused to grant recognition to a member would not constitute a question of personal privilege.

\* \* \*

Rep. Sterling explained the status of the Women's Lounge.

\* \* \*

The Chair announced the following committee appointments:

#### Co-operating Committee of Appropriations of Ways and Means:

1. Cobleigh
2. Logan
3. Raiche
4. Eaton
5. Drake
6. Goff
7. Ratoff
8. Nixon
9. McGrail

#### Committee on Resolutions:

1. Hayes
2. Andrews
3. Welch
4. Cares
5. Dion

## Committee on Introduction of Bills:

1. Reddy
2. Barker
3. Van Gardner
4. Foster
5. Bednar
6. Vachon
7. Lambert

\* \* \*

Rep. Stevenson offered the following resolution:

## RESOLUTIONS

*Whereas*, we have learned with sorrow of the passing of Agnes Isabelle Harrington, wife of J. Elmer Harrington of Bethlehem, Clerk's Messenger, therefore be it

*Resolved*, that we, the Members of the New Hampshire House of Representatives in General Court convened, do hereby extend our sincere sympathy to Mr. Harrington in his loss, and be it further

*Resolved*, that a copy of these Resolutions be transmitted to him.

\* \* \*

Resolutions adopted by vv.

Reps. Logan and Raiche offered the following resolution:

## RESOLUTION

*Whereas*, we are sorry to learn of the illness of Francis W. Tolman, Clerk of the House of Representatives, and his confinement to the Elliot Community Hospital, Keene, therefore be it

*Resolved*, that we, the Members of the House of Representatives in General Court convened, extend our sympathy to Fran in his illness and our best wishes for a speedy recovery, and be it further

*Resolved*, that Fran's fellow workers eagerly await his return, and be it further

*Resolved*, that a copy of these Resolutions be transmitted to him.

\* \* \*

Resolutions adopted by vv.

Rep. Belcourt offered the following resolution:

### RESOLUTION

*Whereas*, it is with great pride that we congratulate the moon-orbiting astronauts Air Force Col. Frank Borman, Navy Capt. James Lovell and Air Force Maj. William Anders, and

*Whereas*, these men have just returned from their successful mission from the earth to the encirclement of the moon and on the spot safe return, and

*Whereas*, their service to the country as astronauts exemplified great courage, loyalty and a dedication to their belief which has never been exceeded, therefore be it

*Resolved*, that we, the members of the New Hampshire General Court of 1969 hereby pay tribute to Col. Borman, Capt. Lovell and Maj. Anders, and be it further

*Resolved*, that a copy of these resolutions be forwarded to the three astronauts.

\* \* \*

Resolutions adopted by vv.

Representatives Logan, Raiche, Bridges and Cares offer the following resolution and move its adoption.

*Whereas*, Staff Sergeant Robert Hammond, of Claremont, New Hampshire, is the sole New Hampshire resident who was a member of the Pueblo crew, and

*Whereas*, he served his state and country in the highest tradition of our armed forces, as a member of said crew, and

*Whereas*, as a result of his captivity he is now a patient at the Balboa Naval Hospital in San Diego, California, and

*Whereas*, today, January 7, 1969 is his birthday,

*Now therefore be it resolved by the House of Representatives of the General Court of New Hampshire,* that birthday greetings and commendations of the House be forwarded to Staff Sergeant Robert Hammond, and

*Be it further resolved,* that a copy of this resolution be mailed to Staff Sergeant Robert Hammond by the Clerk of the House.

\* \* \*

Resolutions adopted by vv.

### ANNOUNCEMENT

The Chair announced that yesterday was the 30th birthday of Rep. David Sterling.

### NOTICE

The Chair stated that he would like to remind the House of the following:

Wednesday and Thursday of this week hearings will be in the morning and the session will start at 1:00 p.m. Next week the session will start at 10:00 a.m. and hearings will be held after adjournment. The following week we will go back to the House meeting at 11:00 o'clock in the morning and hearings will be in the afternoon after adjournment.

\* \* \*

Rep. Sterling moved that the order whereby HB 138 was referred to the Judiciary Committee be vacated and that the bill be referred to the Committee on Constitutional Revisions, and spoke in favor of the motion.

Motion adopted by vv.

\* \* \*

On motion of Rep. Stafford the House adjourned from the early session to meet tomorrow at 1:00 p.m.

\* \* \*

On motion of Rep. Cares the House adjourned at 1:56 p.m.

*Wednesday, January 8, 1969*

The House met at 1:00 P.M.

## JOINT CONVENTION

Prayer was offered by Guest Chaplain, Rev. William L. Shafer of Chichester as follows:

Almighty God, the fountain of all wisdom and truth: Guide and direct the members of this Joint Convention today, as they undertake their responsible duties, and preserve them from faithless fears and worldly anxieties. Grant unto each one — clarity of thought, evenness of temper, and willingness to persevere in their pursuit of the common good. Restore and continue their faith in the omnipotence of good: renew the love that never fails; and make us to lift up our eyes and behold, beyond the things which are seen and temporal, the things that are unseen and eternal. As we serve with honor this day, may we be mindful of those who are standing and dying in the defense of our liberty and our freedom. Amen.

## PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Boire led the Convention in the Pledge of Allegiance to the Flag.

## HOUSE

MEMORIAL SERVICE FOR DEPARTED MEMBERS  
OF THE HOUSE

Under direction of Rev. William L. Shafer

SCRIPTURE LESSON — Psalm 90 (excerpts 1-2, 4-6, 12, 16-17)  
Lord, thou hast been our dwelling place in all generations.

Before the mountains were brought forth, or ever thou hadst formed the earth and the world, even from everlasting to everlasting, thou art God.

For a thousand years in thy sight are but as yesterday when it is past, and as a watch in the night.

Thou carriest them away as with a flood; they are as a sleep; in the morning they are like grass which groweth up.

In the morning it flourisheth, and groweth up; in the evening  
it is cut down and withereth.

So teach us to number our days, that we may apply our hearts  
unto wisdom.

Let thy work appear unto thy servants, and thy glory unto their  
children.

And let the beauty of the Lord our God be upon us: and estab-  
lish thou the work of our hands upon us; yea, the work  
of our hands establish thou it.

Mr. Speaker — Honorable Members of the House of Rep-  
resentatives: — The mystery of life has united us in a common  
bond of fellowship and service. Our days have been numerous,  
our responsibilities have been many, and our common labors  
across the years as a part of this assembly have been duly re-  
corded. There are those who have received the Divine Sum-  
mons during our absence from one another and do now rest  
from their labors. With heartfelt sadness we seek Divine Con-  
solation and desire to pay tribute to those who have sought the  
better world beyond our vision. We now wish to honor the  
memory of these men and women and so signify by the symbol  
of light, that as our lives have been touched by their presence  
and inspired by their witness, may their memory glow within  
our hearts forever.

#### ROLL CALL by the House Clerk

#### DECEASED LEGISLATORS — 1967 SESSION

D. Ray Blanchard, Manchester  
Howard R. Kelley, Franklin  
Philip Willey, Campton  
Frank Sheridan, Berlin  
Anthony J. Corriveau, Rochester  
Harry Sullivan, Berlin  
Arthur Babineau, Concord  
Harry S. Johnson, Rochester  
Bowdoin Plumer, Bristol  
Clifford D. Stearns, Hinsdale  
Alfred Bergeron, Manchester  
Laurence M. Pickett, Keene  
Fred J. Coffin, Somersworth



William O. LaVallee, Nashua  
Thomas Pryor, Ashland  
Dana J. Farrington, Conway  
Ada C. Taylor, Whitefield  
David O'Shan, Laconia  
Herbert H. Wright, Newport  
Elwood Peaslee, Concord  
Maurice H. Cummings, Newport  
Ivan C. Reed, Sr., Raymond  
Montville Leslie, Seabrook

#### DECEASED FORMER LEGISLATORS

Parker Sawyer, Franklin  
Joseph Smith, Meredith  
Louis Bergeron, Rochester  
Arthur Colcord, Plaistow  
Clara Brooks, Claremont  
Maxime Proulx, Franklin  
Maurice Marsan, Rochester  
Richard Varney, Gilmanton  
Elmer Hunt, Salisbury  
Arthur Adams, Lebanon  
George Emery, Conway  
Margaret Dustin, Rochester  
Harry Metcalf, Springfield

#### MOMENT OF SILENCE

#### MEMORIAL PRAYER

ALMIGHTY GOD our Father, with whom are the issues of life and death, we have come together to honor the memory of our brethren who have gone before us. We thank Thee for the testimony of their lives, for the qualities of their service, and for the devotion of their hearts. Though they walk no more among us in the flesh, their spirits are with us to encourage and strengthen us in our daily labors. May their dreams of a better world and a larger brotherhood live again in us and be brought another step toward realization. Strengthen us with the conviction that a life lived for Thee and our fellow men and women here and now is but the prelude to a larger and more abundant life in Thy Kingdom of Love. In the solemnity of this hour help us to dedicate ourselves anew to the spirit of

true charity, to justice, and to the higher demands of brotherly love and fidelity; through Jesus Christ our Lord. Amen.

SCRIPTURE LESSON — Psalm 23

Let us feast at the fountain of faith with the Psalmist, who said  
The Lord is my shepherd; I shall not want.

He maketh me to lie down in green pastures; he leadeth me  
beside the still waters.

He restoreth my soul; he leadeth me in the paths of righteousness  
for his name's sake.

Yea, though I walk through the valley of the shadow of death,  
I will fear no evil; for thou art with me; thy rod and thy  
staff they comfort me.

Thou preparest a table before me in the presence of mine enemies;  
thou anointest my head with oil; my cup runneth over.

Surely goodness and mercy shall follow me all the days of my  
life: and I will dwell in the house of the Lord forever.

TRINITARIAN BENEDICTION

"The grace of the Lord Jesus Christ, and the love of God, and  
the communion of the Holy Spirit, be with you all. Amen."

\* \* \*

LEAVES OF ABSENCE

Reps. Roger M. Duhaime, McGee, Bridges and Gagnon  
were granted leave of absence for the day on account of illness.

Rep. Collishaw was granted leave of absence for today and  
Thursday on account of illness.

Rep. Tarbell was granted indefinite leave of absence on account  
of illness.

Rep. Albert Beauchesne was granted leave of absence for  
the rest of the month on account of important business.

## RESOLUTION

Representative McMeekin offered the following motion and moves its adoption:

That the Rules of the House be amended by striking out House Rule 37 and inserting in place thereof the following:

37. All petitions, memorials, and other papers addressed to the House and all bills or resolutions to be introduced in the House shall be endorsed with the name and the district of the person presenting them, and the words "Legislative Council" if presented by it, and with the subject matter of the same. Every bill shall be marked on the first page "House Bill" and numbered serially; every joint resolution shall be marked "House Joint Resolution" and numbered serially; every concurrent resolution proposing a constitutional amendment shall be marked "Concurrent Resolution Proposing a Constitutional Amendment: and numbered serially; and every other concurrent resolution shall be marked "House Concurrent Resolution" and numbered serially, as each bill or resolution is introduced into the House.

The Clerk read the resolution in full.

Rep. McMeekin explained the resolution.

Rep. Stafford spoke in favor of the resolution.

(discussion ensued)

Resolution adopted by vv.

\* \* \*

## RESOLUTION

Representative Bednar offers the following Resolution and moved its adoption:

That, joint rule 20 be amended by striking out in lines 24, 25, 26, and 27 the sentence "On the question of ordering such a resolution to third reading and final passage, the President and Speaker shall require a division vote, unless a roll-call is duly requested under the rules and completed." and inserting in place thereof the following: (On the question of ordering such a resolution to third reading and final passage and on the question of final passage, the President and Speaker shall re-

quire a division vote unless a roll call is recorded under the rules and completed, adoption of either of said two questions shall require a vote of three-fifths of the entire membership of each house) so that said rule as amended shall read as follows:

20. Concurrent Resolutions Proposing Constitutional Amendments. Proposed constitutional amendments shall be submitted as concurrent resolutions entitled: "Concurrent Resolution Proposing a Constitutional Amendment Relating to \*\*\*", and with a resolving clause in the following form: "Be it Resolved by the (Senate) (House of Representatives) the (House of Representatives) (Senate) concurring, that the Constitution of New Hampshire be amended as follows:" Concurrent resolutions proposing a constitutional amendment shall truly propose to amend or supplement the Constitution and contain only subject matter which genuinely belong in the fundamental law of the state; it being the intention of this rule to exclude therefrom all subject matter which is legislative in nature and all questions which are submitted under the guise of constitutional amendments for the primary purpose of obtaining a popular referendum. Each such concurrent resolution shall set forth the text of the new matter to be inserted in the Constitution and also the text of a question summarizing the amendment, to appear on the ballot proposing such constitutional amendment, shall specify the particular general election at which such question is to be submitted to the voters, and shall state whether it is to appear on the regular or a separate ballot. All such concurrent resolutions shall be read a first and second time by title and referred to the appropriate standing committee for public hearing and report. Amendments to such a resolution shall be in order while the measure is still on second reading. On the question of ordering such a resolution to third reading and final passage and on the question of final passage, the President and Speaker shall require a division vote unless a roll call is recorded under the rules and completed, adoption of either of said questions shall require a vote of three-fifths of the entire membership of each house. In case of disagreement between the two bodies, such concurrent resolutions shall be subject to the usual conference committee procedure. Such concurrent resolution, if adopted by the required constitutional majority of each body, shall be engrossed in the usual form and signed by the Speaker and the President, and shall be submitted to the Secretary of State for

appropriate action and for submission to the voters. Such concurrent resolutions shall be made a part of the permanent legislative records.

Rep. Bednar explained the resolution.

Rep. Trowbridge spoke in favor of the resolution.

Resolution adopted by vv.

### RESOLUTION

Rep. Newell offered the following resolution and it was referred to the Resolution Committee.

*Resolved*, That the Committee on Appropriations shall report to the House, by resolutions printed in the appendix of the Journal two days before that time set for consideration by the calendar of the House, its recommendations on all salaries, fees, per diems, contracts, and/or other charges against appropriations for expenses of the legislature for which approval of the committee is required by RSA 14:24 or by resolutions or by orders of the House, provided that no manifest shall be drawn upon said appropriations and no payments shall be made therefrom for any of the aforementioned purposes until the House shall have adopted the committee's recommendations or shall have otherwise ordered and, in the case of any contract recommendation, the Committee on Appropriations shall obtain from the Attorney General certification as to the form and execution of said contract before payments thereunder shall be valid.

\* \* \*

Rep. Newell moved that reference to committee be vacated and that the resolution be taken up at the present time, spoke in favor of the motion and subsequently withdrew his motion.

Rep. Raiche requested that he be allowed to address the House.

Rep. MacKenzie spoke in favor of the request.

Rep. Raiche moved that his address be printed in the Journal.

Motion adopted by vv.

Let me begin by commending Governor Peterson on the sincerity of his address. Governor Peterson has the knowledge, the ability, the experience, and the personal integrity to be a fine governor. We believe that the state has need of strong leadership and the Democratic Party is prepared to support a positive program and will cooperate with the new administration toward that end.

We agree with the Governor's statement that there are problems with the purity of our air and water and that our school and transportation systems need help. But, what are the Governor's solutions or recommendations to meet these problems?

In many instances and, in particular these just cited, we believe the time for action is now. The state or agencies within the state have spent thousands of dollars in studying these problems with expert consultants. The legislature, a true "citizens task force" elected and representative of the citizens, knowledgeable and experienced in these concerns, and set up and operating to analyze and investigate these problems are ready to do so.

We support the new Governor's executive order which will result in filling unfilled State positions only if such new personnel clearly meet the needs of the people. But we warn that there are presently positions which are in urgent need of being filled and which so long as they remain unfilled result in inadequate care to those in our state institutions, to foster children, and to our needy elderly. We also warn that unfilled jobs whose functions must be performed by others who are already working to full capacity will result in two jobs half-done, disgruntled personnel and a net loss to the state. In several critical areas it could mean the loss of the badly-needed federal share of the cost of these programs.

We agree with the Governor when he states that he opposes inadequately funded legislation and will watch with anticipation the Governor's proposal to replace the Foundation Aid Law. Again we warn, however, that schools meet next September, school meetings are held this March, the towns must plan to meet the financial needs of their schools now. They need to know what kind of state aid they can expect soon and they need more state aid now. We urge action on the "Citizen's



Task Force." Reports already completed such as the recommendations of the Interim Committee on Legislation and Governor King's Conferences on Education.

The Democratic Party has long recognized the plight of the school teachers. Governor King's proposal in the last legislative session for a minimum salary for school teachers proves that. We also feel that a professional negotiations law will be supported by the Minority Party.

The problems of the Parochial schools are not new. This crisis in education exists from Maine to California and recognizing this problem, I have proposed a "Text Book Aid" bill for Parochial, Private and Public Schools.

I wholeheartedly concur with Governor Peterson's analysis of the students, faculty, administrators and trustees at UNH by applauding their sensible approach to an extremely complex problem. Governor Peterson's request for a student loan program is greeted with warmth, understanding and the undying support of the Democratic Party as specified in the Democratic Platform. We agree with the concept that the single most valuable thing that we of another generation can bestow on the next generation is an opportunity to receive as much education as their ability allows regardless of geographic location or ability to pay.

One vital step is ready to be taken now, for it has already been studied by a "citizen's task force," studied by the appropriate legislative committees, recommended and enacted by both houses of this legislature. The Dollars-for-Scholars scholarship matching program should be funded now. Such a program will maximize the large contribution which many public spirited citizens are now making to provide scholarship aid to our young people.

A large and an expensive study by another "citizens task force," Governor King's Commission on Vocational Rehabilitation, is now ready for action. We urge that these recommendations be analyzed and implemented at once. The handicapped and the disadvantaged need these reforms now. They do not need to be studied, they need help.

The mounting death toll on our highways is another area that is of great concern to us and we pledge our cooperation to

Governor Peterson to this end. We call his attention to the "citizen's task force" Governor King's Safety Commission's recommendations.

While we understand that legislation is being prepared to give tax relief to the elderly and while we believe that the elderly need such relief we shall oppose any Measure which shifts the tax burden from one group to another group which may be similarly unable to pay increased taxes. We are concerned about the increasing burden being put on young families with growing children whose incomes are in the low and low-middle income range. The Democratic Party has always believed that taxes should be raised in accordance with the citizen's ability to pay. Accordingly, the Party is continuing to press for and support a Constitutional Amendment which would allow a graduated income tax. Placed on Referendum.

We believe with Governor Peterson that the air and water quality problems need action now and would suggest that the Water Supply and Pollution Control Commission and that the Air Pollution Control Commission established by this legislature in its last session constitute a knowledgeable able body of our citizenry who have studied these problems and that their recommendations are urgent. The Democratic Party believes, for example, that the program for State aid in the financing of comprehensive treatment facilities to such cities as Manchester, Concord, Nashua and Lebanon is necessary and immediate. The Commission unanimously agreed and is, by the way, chaired by the Republican Party Chairman. It has pledged to work for those funds at this session of the legislature. The Federal Government threatens to cut off its crucial 50% matching grant unless such action is taken at this session, and at some special session in the unknown future.

It is clear I think from the foregoing that the Democratic Party is pledged to work diligently, cooperatively and strongly toward a positive state program. It is also clear that the Party believes in Citizens Task Forces, Governor King consistently used them and we urge action on their recommendations. It is also clear, however, that many areas of the public concern have been studied very recently and exhaustively and that further non-legislative study is wasteful and may, in fact, do injury to our own cause by putting off action that is over due now. We do not believe in a do nothing, stand pat, put-it-off until to-

morrow, pass-the-buck legislature. We believe that this legislature has urgent problems facing it requiring immediate attention.

These are problems which need study, the Democratic Party has long urged reorganization and study of the personnel procedure. We are pleased that the Republicans now realize the importance of coming up with new solutions here. But we are against a blank check, no holds-barred creation of a Super Legislature. We believe that as elected representatives it is our duty to act now in accordance with the Constitution. We respect consultants, but we will not become their rubber stamp. We do not believe in the age of miracles whereby a perfect plan can be submitted to us in a special session and we can suddenly see all our problems put into divine perspective and we can in a few days enact and have the new millenium. The Democratic Party could support a task force to study specified problems requiring expert knowledge but it refuses to forfeit its legal responsibility to act and to put all its faith in a ritual whose performers we do not know and whose objectives are not clear.

We expect and hope for a productive and useful legislative session.

\* \* \*

## INTRODUCTION OF A BILL

The following House Bill was read a first and second time, laid on the table for printing and referred to the committee on Judiciary.

### **HB 177**

abolishing sovereign immunity for claims up to twenty-five thousand dollars. (Nixon of Hillsborough Dist. 5)

## ANNOUNCEMENT

TO: The Members of the General Court  
FROM: Henry F. Goode, Director of Legislative Services  
SUBJECT: Deadlines for Submission of Drafting Requests

Under the provisions of Joint Rule 14, the deadline for the submission of requests for drafting is the seventeenth legis-

lative day, which will be February 6. Under the provisions of proposed Joint Rule 14-a, which has been passed by the House, but has not yet been acted on by the Senate, the deadline for certain types of request is moved up to the ninth legislative day, which will be January 21. The types of request covered by proposed Joint Rule 14-a are: requests for bills that provide for new sources of state revenue, requests for bills that amend current revenue raising statutes, and requests for *any* bill or resolution that contain an appropriation, except the budget bill.

No request for drafting can be accepted by this office after the applicable deadline has passed unless the request is filed by the rules committee or under a suspension of the rules.

We urge any legislator who wants a bill drafted to come to our office in room 302-A as soon as possible so that our drafting staff can begin work on your request. Please do not wait until the last moment.

There are currently several requests for drafting in our files that are not accompanied by sufficient information to enable our draftsmen to continue working on them. Beginning January 14, we will be sending notices to the sponsors of these proposed bills informing them that, pending the receipt of sufficient information to complete drafting, the request is being placed in an "inactive file." No action will be taken by this office to revive a request that has been placed in the inactive file. It will be strictly up to the sponsor of such a proposed bill to reactivate his request.

We regret that such stringent rules must be applied to the services supplied by our office, but they are necessary if we are to perform our function in a useful and efficient manner.

Yours truly,

Henry F. Goode, Director

Rep. Newell moved that the resolution printed on page 36 of the Journal of January 1 be removed from the table, and spoke in favor of the motion.

The Clerk read the resolution in full.

Amend the Joint Rules of the Senate and House of Representatives by adding the following rule:

23. The report of a committee of conference on a bill or joint resolution or concurrent resolution proposing an amendment to the constitution shall be first returned to that house which acceded to a request for a committee of conference. The report shall be recorded in full in the journal of that house to which it is first returned and made a special order of business at the late session of a subsequent day. After said report has been adopted by the house to which it was first returned, it shall then be transmitted to the other house for its action.

Rep. Angus spoke in favor of the motion.

Reps. MacKenzie and Stafford spoke against the motion.

Rep. Williamson spoke in favor of the motion.

Rep. Angus spoke a second time in favor of the motion.

The question now being on the motion to remove the resolution from the table which will need a majority vote.

On a vv the Chair was in doubt and called for a division.

The division vote being manifestly in the affirmative, the motion was adopted.

The question now being on the resolution offered by Mr. Newell.

Motion adopted by vv .

\* \* \*

## SENATE MESSAGE

The Senate has passed the following resolution:

That Senator John P. H. Chandler, Jr. and Senator Eileen Foley be appointed to the chaplain committee.

## MILEAGE BOARD MONITORS

Div. 1 — Maloomian of Somersworth  
Henry of Concord

Div. 2 — Leavitt of No. Hampton  
Heald of Keene  
Bushey of Northumberland  
Cummings of Danville

Div. 3 — Montplaisir of Manchester  
Bragdon of Amherst  
Gardner of Littleton  
Delisle of Manchester

Div. 4 — Reddy of Hopkinton  
Anderson of Warren  
Hackler of Swanzey  
Collishaw of Exeter

Div. 5 — Warren of Lyndeborough  
Fuller of Concord

\* \* \*

On motion of Rep. Stafford the House adjourned from the early session to meet tomorrow at 1:00 P.M.

\* \* \*

On motion of Rep. Casey of Manchester the House adjourned at 1:54 P.M.

---

*Thursday, January 9, 1969*

The House met at 1:00 P.M.

### JOINT CONVENTION

Prayer was offered by Guest Chaplain, Rev. William L. Shafer of Chichester as follows:

O Eternal God, Creator and Preserver of all mankind; we give Thee thanks for the light of another day, for the work we have to do, and for the strength to do it. Guide us, we pray Thee, by Thy truth; uphold us by Thy power; and purify us by Thy Holy Presence. Grant that in every circumstance we may grow in wisdom, a wisdom that is tempered by patience and compassion as we evaluate the needs of those we represent. So rule our hearts and prosper our endeavors, that law and order, justice and peace may everywhere prevail, to the honor of Thy Holy Name, through Jesus Christ our Lord. Amen.



## PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Greene of Rye led the Convention in the Pledge of Allegiance to the Flag.

## HOUSE

## LEAVES OF ABSENCE

Reps. D'Amante, McGee, Marden, Soucy and Cummings were granted leave of absence for the day on account of illness. Rep. Clement was granted leave of absence for the day on account of important business.

Rep. Alice Davis was granted indefinite leave of absence on account of illness.

Rep. Nixon was granted leave of absence for today and next week on account of important business.

\* \* \*

Rep. Logan offered the following resolution and moved its adoption.

*Resolved* that, in accordance with the list in the possession of the clerk, House Bills numbered 178 through 188 and House Joint Resolution numbered 12 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

The Clerk read the resolution in full.

Resolution adopted by vv.

\* \* \*

## INTRODUCTION OF BILLS

**HB 178**

relative to the department of labor. (Roberts of Belknap Dist. 6, Smith of Merrimack Dist. 24, & Dion of Hillsborough Dist. 29 — To Executive Departments & Administration.)

**HB 179**

for additional reimbursement to institutions and nursing homes for cost of care of certain welfare programs. (Palmer of

Rockingham Dist. 9 — To Public Health, Welfare & State Institutions.)

**HB 180**

empowering the governor and council to establish the fees for the copies of records on certain rehearing and appeals under the personnel system. (Roberts of Belknap Dist. 6 — To Statutory Revision.)

**HB 181**

authorizing the expenditure of funds for area and cooperative schools. (Greene of Rockingham Dist. 22 — To Education.)

**HB 182**

relative to form of biennial election ballots so far as federal officers are concerned. (Hamel of Rockingham Dist. 17 — To Judiciary.)

**HB 183**

relative to acquisition of easements and lands as required for water pollution and water control. (Urie of Belknap Dist. 1 — To Resources, Recreation & Development.)

**HB 184**

relative to constructions in or adjacent to surface waters and submission of plans therefor. (Urie of Belknap Dist. 1 — To Resources, Recreation & Development.)

**HB 185**

relative to the water supply and pollution control commission and enforcement of classification of waters. (Urie of Belknap Dist. 1 — To Resources, Recreation & Development.)

**HB 186**

provide for biennial hearing before fish and game commission. (Hayes of Carroll Dist. 3 — To Fish & Game.)

**HB 187**

relative to acceptance of federal funds by fish and game department. (Hayes of Carroll Dist. 3 — To Appropriations.)

**HB 188**

relative to the statute of limitations on personal actions. (Nixon of Hillsboro Dist. 5 — To Statutory Revision.)

---

**HJR 12**

in favor of Earl Caird of Milan. (Thurston of Coos Dist. 10 — To Claims, Military & Veterans Affairs.)

Representatives Logan and Raiche offered the following resolution and moved its adoption:

That the Rules of the House be amended by inserting after Rule 45 the following new House Rule:

45-a. No request by a member of the House for drafting a bill or resolution providing for new state revenue, for a change in any existing state revenue statute, or containing an appropriation, other than the general budget or the capital budget bill, shall be accepted by the Legislative Drafting Service for processing unless the subject matter of the legislation, with complete information as to details, has been filed with said Service no later than the ninth legislative day and any bill or resolution may not be introduced into the House later than March first.

The Clerk read the resolution in full.

Rep. Bridges explained the resolution.

(Discussion ensued)

Resolution adopted by vv.

\* \* \*

### PARLIAMENTARY INQUIRY

Rep. Newell rose on a point of Parliamentary Inquiry.

The Chair ruled that any new proposed addition to the Rules would be an amendment and would require a two-thirds majority to be accepted.

\* \* \*

### SENATE MESSAGE

The Senate refuses to concur with the House of Representatives in the passage of the joint rules, sent up from the House of Representatives and requests a committee of conference.

Senate Appointees: Sen. Lamprey and Sen. Spanos.

On motion of Rep. Stevenson the House acceded to the Senate request and the Chair appointed to the Committee of Conference Reps. Zachos, Bridges and Cares.

The Chair announced the following names were omitted from the Memorial List printed in the Journal of January 7.

Rep. Bork of Salisbury

Rep. Edmund P. Sweeney of Nashua

Rep. Broderick of Manchester

Rep. John Kearns of Manchester

Rep. Cook of Hooksett

Rep. Maynard of Nashua

Rep. Ingraham of Portsmouth

Rep. Marquis of Nashua

Rep. Louis M. Kelley of Plaistow

Rep. Stafford instructed the new members of the House on the use of the microphones.

(Discussion ensued)

At the request of Rep. Maloomian the new members of the House stood up.

\* \* \*

On motion of Rep. Stafford the House adjourned from the early session and moved that when the House adjourns today it be to meet next Tuesday morning at 10:00 A.M. and that it be in honor of President Elect, Richard M. Nixon's 56th birthday.

\* \* \*

Rep. Underwood addressed the House briefly.

\* \* \*

## COMMITTEE ASSIGNMENTS

\*Means clerk of committee

### REPUBLICAN

### DEMOCRAT

#### AGRICULTURE

#### Room 15 Annex

Underwood, Russell E., Chm.

Ellms, Norman H., V. Chm.

Persson, Karl J.

Vickery, Harold J.

\*Fernald, John T.

Churchill, Lawry W.

Morrow, Kenneth S.

Glavin, William F.

Canney, Ralph W.

Soucy, Emile J.

Randall, Anthony T.

Callahan, Francis P.

Dempsey, John P.

Bouley, Arthur J.

Gamache, Ovila

York, Elmer H.

Duhaime, Roger M.

Desilets, Romeo A.

Gaffney, William L.

## APPROPRIATIONS

## Room 318, State House

Eaton, Joseph M., Chm.	York, Edward H.
Smith, Roger A., V. Chm.	Saunders, Michael J.
Bell, Kenneth G.	Belcourt, Agenor
Drake, Arthur M.	Goff, John B.
*Weeks, Edna B.	McGinness, Charles L.
Roberts, Milburn F.	Downing, Maurice J.
Prescott, Oscar C.	Dubey, Leon T.
Ballam, Louis S.	Bruton, George A.
Ferguson, Charles W., Jr.	
Casassa, Herbert A.	
Saggiotes, James A.	
Roberts, George B., Jr.	
Cone, John C.	

## BANKS AND INSURANCE

## Community Room, N. H. Savings Bank

Bigelow, L. Waldo, Chm.	Delisle, Eugene, Sr.
Reddy, Samuel, Jr., V. Chm.	Fortin, John O.
Leighton, Max W.	Tremblay, Winfred J.
Lang, George A.	Nalette, Joseph C.
Montplaisir, J. Henry	Allard, Edmond
Milne, Norman F., Jr.	*Levesque, Lucien G.
Mackintosh, James F.	Poliquin, Arthur
Avery, Fred	Martel, Albina S.
Gage, Edward A.	
Phillips, Winfield J.	
Smith, Richard L.	
Cheney, Charles H.	
Roy, Antoinette H.	
Randall, Earle F.	

## CLAIMS, MILITARY AND VETERANS AFFAIRS

## Room 21 Annex

Sawyer, Frank N., Chm.	Cournoyer, Wilfred W.
Varrill, Robert W., V. Chm.	Duhaime, Roger
White, George W., Sr.	Lambert, Lucien G.
Henry, Arthur F.	Levasseur, Alphonse
Dame, C. Cecil	Delisle, Eugene, Sr.
Young, John T.	Duhaime, Armand L.
Bent, Charles H.	O'Connor, James P.
Ormiston, Edward J.	Boisvert, Ralph W.
Greenwood, J. Henry	
Vallee, Roland E.	
*Mousseau, Ann	
Gay, Charles H.	

## CONSTITUTIONAL REVISION

## Room 13 Annex

Aucella, Theodore, Chm.	Laplante, Roland H.
Sherman, Kenneth L., V. Chm.	Parent, Emile J.
Higgins, Wayne G.	DeCesare, Anthony J.
*Bennett, Jennie B.	Battenfeld, Barbara B.
Chase, Russell C.	Goff, John B.
Fuller, Roland F.	Coutermarsh, Ernest R.
Read, Maurice W.	Lesmerises, Origene E.
Torr, Keith H.	Barrett, William F.
Karsten, Herbert H.	
Berkey, Grant J.	
Dudley, Frances B.	
Wuelper, Marion	
Williamson, Stanley H.	
Goedecke, Herbert	

## EDUCATION

## Room 100, State House

Greene, Elizabeth A., Chm.	Murphy, Peter J.
Stevenson, Malcolm J., V. Chm.	Hamilton, Ruth M.
Park, Hazel I.	Joncas, Grace L.
Dawson, Ruth H.	Cote, Margaret S.
Bennett, Phil A.	Bowlen, Wayne T.
Gile, Robert H.	McEachern, Archie D.
Johnson, Edward A.	
Roberts, Charles B.	
Mutzbauer, Jakob	
Lockhart, Richard S.	
Goode, Frederick D.	
*Dunham, Janet W.	
Nighswander, Esther R.	
Canney, Ralph W.	
Van Loan, Anna S.	

## ELECTIONS

## Room 100, State House

Stafford, George W., Chm.	Healy, Daniel J.
Van Loan, Anna S., V. Chm.	Fortier, Guy J.
Andrews, William T.	

## ENGROSSED BILLS

## Secretary of State's Office

Forbes, Roxie A., Chm.	Normandin, Margaret E.
Dunham, Janet W. V. Chm.	Dearborn, Ann G.
Keeney, Phyllis M.	

## EXECUTIVE DEPARTMENTS AND ADMINISTRATION

## Room 119, State House

Clark, Shirley M., Chm.	Boire, Henry
MacDonald, Maurice B., V. Chm.	*Drabinowicz, A. Theresa
Barker, Helen A.	Boisvert, Wilfred A.
Gardner, Van H.	Walsh, Edward J.
Bouchard, Maurice L.	Croft, Shirley
Moran, Philip D.	Roy, Edgar J.
Greeley, A. Stephen	Brummer, George
Martin, Willard G., Jr.	
Scamman, W. Douglas, Jr.	
Michels, John R.	
Watson, Harold W.	
Chase, Lila S.	
White, Julia H.	

## FISH AND GAME

## Wild Life Room

Drew, Robert B., Chm.	LaFrance, Edward T.
Hayes, J. Donald, V. Chm.	Barrows, Arthur W.
Merrifield, George R.	Dorley, Anna C.
Campbell, Allan P.	Maynard, Ralph C.
Forbes, Roxie A.	Hunt, Roger L.
O'Neil, James E.	Lachance, Henry J.
*Huggins, Harry F.	Gilman, Wiggin S.
Hoar, John, Sr.	Bushey, Walter O.
Austin, Charles R.	Chamard, Francis J.
Rolfe, Ernest L.	
Cheney, George L.	
McCuin, Percy W.	
Kinney, Paul L.	
Chamberlin, Nelson H.	
Tirrell, Loring V.	
Varrill, Robert W.	



## INTERSTATE COOPERATION

## Secretary of State's Office

Cobleigh, Marshall W., Chm.	Delisle, Eugene, Sr.
Spollett, Doris M., V. Chm.	Normandin, Margaret E.
Palmer, Mildred L.	

JOURNAL  
Clerk's Office

Burleigh, Joseph, Chm.	Wallin, Jean R.
Horan, Richard H., Sr., V. Chm.	Tracy, William
Hamel, Stanley A.	

## JUDICIARY

## Room 113, Annex

Zachos, Kimon S., Chm.	Healy, Daniel J.
Frizzell, Martha McD., V. Chm.	*Normandin, Margaret E.
Brungot, Hilda C. F.	Carrier, Marie L.
Griffin, Margaret A.	Wallin, Jean R.
Eastman, Edwin W.	Radway, Laurence I.
Palmer, Mildred L.	Theriault, Romeo J.
Sayer, James A.	Murphy, Peter J.
Andrews, William T.	Brummer, George
Halvorson, Alf	
Johnson, William R.	
Buckman, Harold V.	
Record, Louis D.	
Clement, Arnold T.	

## LABOR, HUMAN RESOURCES AND REHABILITATION

## Room 106 Annex

Cochrane, Alexander, Chm.	Belanger, Gerard H.
Merrill, Shirley K., V. Chm.	Cote, Joseph
Sanders, Horace W.	O'Hara, Richard E.
Gardner, William J.	*Dion, Leo L.
Knight, Alice Tirrell	Gallagher, Christopher F.
Howland, Wilfred B.	Nourie, Francis T.
Cate, Milton A.	Gamache, Ovila
Murray, Fred E.	Lavallee, Josaphat
Thompson, Willard L.	
Howard, C. Edwin	
Angus, George W.	
Senter, Kenneth L.	
Welch, Alfred E.	
Carmen, Edward J.	
Murphy, Francis	

## LEGISLATIVE REVISION

## Room 5 Annex

Mackintosh, James F., Chm.	*Dion, Leo L.
Keeney, Phyllis M., V. Chm.	Habel, Napoleon A.
Hussey, Daniel J.	Chasse, Peter N.
Coggeshall, Robert J.	LaRoche, Leo U.
Michels, John R.	Leclerc, Charles J.
Newell, Henry C.	Dulac, Lucien R.
Nyberg, Harry E.	Manning, A. George
Adams, Ferne P.	Bowlen, Wayne T.
Bowles, Raimond	
Hammond, Ralph F.	
Scamman, W. Douglas, Jr.	
Morrow, Kenneth S.	
Bent, Charles H.	
Remick, Earle H.	

## LIQUOR LAWS

## State Library

Collishaw, Lyman E., Chm.	Latour, John H.
Enright, Edward H., V. Chm.	Sweeney, James A., Jr.
Nahil, Sam J.	Lomazzo, Joseph
Mitchell, Lester E., Sr.	Dubois, Eugene I.
Jameson, J. Walter	*Dion, Robert A.
Quirk, Jeremiah	Peabody, Arthur H.
Richardson, Mabel L.	Bernier, Alphonse L.
Richardson, Harriet W. B.	Grady, Emmett J.
Sirois, Leo O.	Vachon, Marcel A.
Pollock, Stephen W., Sr.	Desilets, Romeo A.
*deBlois, Romeo R.	O'Connor, James
Lynch, Robert C.	Desmarais, William A.
Peabody, Raymond B.	Walsh, Michael P.
Park, Hazel I.	D'Amante, Carmine F.
Osborn, Clayton E.	Lemire, George
Pray, Harry H.	Chasse, Peter N.
	Cousoule, Hector
	McEachern, Joseph
	Campono, Herman A.
	Poliquin, Arthur
	Parent, Emile J.
	Chevrette, Michel
	Derome, Ernest
	O'Connor, Michael
	Cote, Peter

## MILEAGE

## Milk Control Room

Casassa, Herbert A., Chm.	Desilets, Romeo A.
Tilton, John H., V. Chm.	Maloomian, Sarkis N.
Bragdon, Orson H.	

## MUNICIPAL AND COUNTY GOVERNMENT

## Room 101 Annex

Hanson, Richard D., Chm.	Bednar, John M.
Allen, James F., V. Chm.	Gaffney, William L.
Allan, Stuart B.	Robinson, Joseph H.
Hall, Charles H.	Chevrette, Michel
Barker, Sheldon L.	Derome, Ernest
Reed, Irene L.	Champagne, Edward
Walker, Frank W.	Campono, Herman A.
Cox, Grace N.	Burke, John A.
Blain, Arthur W.	
Stimmell, John H.	
Tripp, J. Thornton	
*Randlett, Dorothy V.	
Brown, H. Allen	
Tarbell, Maurice E.	
Richardson, Mabel L.	

## PUBLIC HEALTH, WELFARE AND STATE INSTITUTIONS

## Room 115, Annex

Heald, Cleon E., Chm.	Maglaras, John
Spaulding, Roma A., V. Chm.	Bissonnette, Oscar P.
Noyes, Chester D.	Lesage, Romeo R.
Howard, Donalda K.	Webber, Sadie C.
Anderson, Fayne E.	Mason, Samuel F.
Rich, Marcia Tefft	Bernard, Mary E.

Morrison, Bessie  
 Goodrich, Vera E.  
 Foster, Carl P.  
 Welch, Alfred E.  
 \*Thompson, Barbara C.  
 Andersen, Chris K.  
 Preston, Howell F.  
 Tasoulas, Chris J.  
 Drew, Harold F.  
 Richardson, Harriett W. B.  
 Clark, Ernest D.

Beaudoin, Leo E.  
 Tarr, Kenneth M.  
 Betley, Stanley J.

## PUBLIC WORKS

## Room 120, Annex

Trowbridge, C. R., Chm.  
 Mann, Arthur F., V. Chm.  
 Spollett, Doris M.  
 Davis, Esther M.  
 \*Davis, Alice  
 Fox, Arthur H.  
 Dame, C. Cecil  
 Cummings, Charles E.  
 Foster, Claude  
 Hackler, Jacob M.  
 Bragdon, Orson H.  
 Coburn, Roscoe N.  
 Raymond, Sumner W.  
 Thurston, George O.  
 Marsh, Harry N.

Fortier, Guy J.  
 McGee, Edna B.  
 Burns, Harold W.  
 Beauchesne, Albert E.  
 Dumais, Roland W.  
 Studd, George T.  
 Weibrenner, Charles A.

## RESOURCES, RECREATION AND DEVELOPMENT

## Room 108, Annex

Clafin, Russell G., Chm.  
 Urie, H. Thomas, V. Chm.  
 Junkins, F. Leroy  
 Kimball, Hayford T.  
 Williamson, Stanley H.  
 Heald, Philip C., Jr.  
 \*Schwaner, Annie Mae  
 Tilton, John H.  
 Kopperl, George D.  
 Welch, Donald J.  
 Spalding, Kenneth W., Jr.  
 Loxton, John J.  
 Davis, Dorothy W.  
 Daloz, L. Albert, Sr.  
 Higgins, Wayne G.

Weibrenner, Charles A.  
 Danielchik, Edward R.  
 Rousseau, Omer A.  
 Oleson, Otto H.  
 Dulac, Lucien R.  
 Pohlman, Barbara S.  
 Tracy, William F.  
 Clear, Daniel J.

## RULES

## Speaker's Office

Drake, Arthur M., Chm.  
 Cobleigh, Marshall W., V. Chm.  
 Logan, Harlan D.  
 Ratoff, John J.  
 MacKenzie, Lawrence H.

Dion, Leo L.  
 Raiche, Robert E.  
 Cares, Miles J.

## STATUTORY REVISION

## Room 117, Annex

McMeekin, Norman A., Chm.  
 Shindledecker, C. Dean, V. Chm.  
 Coggeshall, Robert A.  
 \*Shirley, Wayne

Oleson, Otto H.  
 Manning, Thomas E.  
 Hebert, Roland N.  
 Keefe, Mary E.

Splaine, James R.  
 Horan, Richard H., Sr.  
 Dow, Robert G.  
 Burleigh, Joseph  
 Nighswander, Esther R.  
 Hopkins, Ernest C.  
 Marden, Arthur B.  
 Michels, John R.  
 Gage, Edward A.

Levesque, Lucien G.  
 Sewall, F. Albert  
 Aubut, Adelard J.  
 Cote, Peter R.

## TRANSPORTATION

## Room 104, Annex

Morrill Roy, Chm.  
 Hamel, Stanley A., V. Chm.  
 Osborn, Clayton E.  
 \*Karnis, Theodore H.  
 Carter, Malcolm M.  
 Hammond, Ralph F.  
 Shute, Ralph D.  
 Smith, Manson B.  
 Mattice, Russell C.  
 Parnagian, Aram  
 Bartlett, Clarence E.  
 Tebbetts, Fred O.  
 Sears, Madison W.  
 Remick, Earle H.

Coutermarsh, Ernest R.  
 Manning, A. George  
 Thibault, P. Robert  
 McDermott, Walter F.  
 Rousseau, Hector  
 York, Elmer H.  
 McGee, Edna B.  
 D'Amante, Carmine F.

## WAYS AND MEANS

## Room 314, State House

Ratoff, John J., Chm.  
 Nixon, David L., V. Chm.  
 Brocklebank, Daniel  
 Gelt, Jeanette  
 Head, George A.  
 Warren, Edward G.  
 Leavitt, James F.  
 Galbraith, Donald B.  
 Hickey, Edward P.  
 Fellows, Carroll E.  
 Johnson, Elmer L.  
 McLane, Susan N.  
 Lawton, Robert M.  
 Fiske, Marguerite B.

Cullity, William J.  
 McGrail, Edward P.  
 Casey, Denis F.  
 Maloomian, Sarkis N.  
 Twardus, John  
 \*Dearborn, Ann G.  
 Welch, John L.  
 Storm, Arthur  
 Clancy, Edward D.

## CO-OPERATING COMMITTEE OF APPROPRIATIONS AND WAYS AND MEANS

Cobleigh, Marshall W., Chm.  
 Logan, Harlan D., V. Chm.  
 Drake, Arthur M.  
 Ratoff, John J.

Raiche, Robert E.  
 Goff, John B.  
 McGrail, Edward P.

## R. &amp; D.

Eaton, Joseph M.  
 Nixon, David L.

## INTRODUCTION OF BILLS

Reddy, Samuel, Jr., Chm.  
 Barker, Helen A., V. Chm.  
 Gardner, Van H.  
 Foster, Claude W.

Bednar, John M.  
 Vachon, Marcel A.  
 Lambert, Lucien G.

## RESOLUTIONS

Hayes, J. Donald, Chm.  
 Andrews, William T., V. Chm.  
 Welch, Donald J.

Cares, Miles J.  
 Dion, Leo L.

On motion of Rep. Vachon the House adjourned at 1:24 P. M. in honor of the 56th birthday of President Elect, Richard M. Nixon.

---

## *Tuesday, January 14, 1969*

The House met at 10:00 A.M.

### JOINT CONVENTION

Prayer was offered by Guest Chaplain, Rev. William H. Crouch of Concord.

This is the day which the Lord hath made; we will rejoice and be glad in it.

Almighty God, who has given us great diversity of gifts; grant us pride in our integrity and humility in our behaviour knowing that no man has the perfect Truth. Teach us to be gentle in our firmness and honest in our endeavour, remembering always that we seek not our own well-being but the welfare of our people to whom, as to Thee, we are accountable.

This we ask in the name of one who proclaimed Truth in love, Jesus Christ our Lord. Amen.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Maynard led the Convention in the Pledge of Allegiance to the Flag.

### HOUSE

#### LEAVES OF ABSENCE

Reps. Galbraith, Robert B. Drew, Bigelow and Maglaras were granted leave of absence for the week on account of illness.

Rep. Burke was granted leave of absence for the day on account of illness.

Rep. George Manning was granted indefinite leave of absence on account of important business.

### ANNOUNCEMENT

The clerks of all county conventions are requested to turn in to the House Stenographers in Room 304, the list of the officers for each county.

\* \* \*

### RESOLUTION

Rep. Logan offered the following resolution:

*Resolved*, that in accordance with the list in the possession of the clerk, House Bills numbered 189 through 197 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

Resolution adopted by vv.

### INTRODUCTION OF BILLS

#### **HB 189**

to broaden the authority of emergency vehicle operators to disregard certain road rules. (Wuelper of Belknap Dist. 5 — To Transportation.)

#### **HB 190**

relating to drunkenness in a motor vehicle. (Wuelper of Belknap Dist. 5 — To Judiciary.)

#### **HB 191**

relative to a court hearing after an arrest without a warrant. (Wuelper of Belknap Dist. 5 — To Judiciary.)

#### **HB 192**

increasing the amount authorized for state guarantee of municipal bonds for water pollution. (Kopperl of Merrimack Dist. 12, Davis of Carroll Dist. 5, and Weilbrenner of Hillsborough Dist. 4 — To Resources, Recreation & Development.)

#### **HB 193**

relative to the procedure for claiming veterans' property tax exemptions. (Carmen of Hillsborough Dist. 27 — To Claims, Military & Veterans Affairs.)



**HB 194**

creating a planning board for New Hampton Village Precinct. (Urie of Belknap Dist. 1 — To Municipal & County Government.)

**HB 195**

relative to fees for practice of barbering and employment of full-time inspector. (Maglaras of Strafford Dist. 20 — To Public Health, Welfare & State Institutions.)

**HB 196**

establishing a police commission for the town of Conway. (Roberts of Carroll Dist. 2 — To Municipal & County Government.)

**HB 197**

to prohibit hunting of deer from snowmobiles. (Murphy of Strafford Dist. 18 — To Fish & Game.)

**COMMITTEE REPORTS****HB 61**

relative to special number plates for county commissioners. Rep. Karnis for Transportation. Ought to pass.

Ordered to a third reading by vv.

**HB 36**

establishing a committee to study the model traffic ordinance for municipalities. Rep. Osborn for Transportation. Ought to pass.

Under the Rules the Chair referred HB 36 to Committee on Appropriations.

**HB 34**

relative to required equipment on motorcycles. Rep. Hamel for Transportation. Ought to pass.

Rep. Greenwood requested an explanation of the bill.

Rep. Hamel explained the bill.

(Discussion ensued)

Ordered to a third reading by vv.

**HB 76**

to eliminate restrictions on the denominations of county bonds. Rep. Gaffney for Municipal and County Government. Ought to pass.

Ordered to a third reading by vv.

**HB 59**

relative to investment or deposit of money borrowed in anticipation of taxes. Rep. Hanson for Municipal and County Government. Inexpedient to legislate.

The Clerk read the bill in full.

Resolution adopted by vv.

**HB 31**

to provide that appointments to fill vacancies in boards of supervisors of the check-list shall be for the unexpired terms. Rep. Hanson for Municipal and County Government. Ought to pass.

Ordered to a third reading by vv.

**HB 6**

to allow towns to combine the offices of town clerk and town treasurer. Rep. Hanson for Municipal and County Government. Inexpedient to legislate.

Resolution adopted by vv.

**HB 134**

relative to nurses and infirmaries in industrial establishments. Rep. Cochrane for Labor, Human Resources and Rehabilitation. Inexpedient to legislate.

Resolution adopted by vv.

**HB 18**

relative to time for payment of state funds into the state library. Rep. Lila Chase for Executive Departments and Administration. Inexpedient to legislate.

Resolution adopted by vv.

\* \* \*

**SENATE MESSAGE**

The Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

**SB 20**

changing the effective date of an act relative to the election of members of the board of the Concord union school district. Ought to pass.

## INTRODUCTION OF A SENATE BILL

**SB 20**

was read a first and second time, and referred to Education.

\* \* \*

## LATE SESSION

On motion of Rep. Stafford the House adjourned from the early session and the Rules of the House were so far suspended as to permit the reading of bills a third time, by title only, and that when the House adjourns today it adjourns to meet tomorrow morning at 10:00 A.M.

\* \* \*

## REMARKS OF REPRESENTATIVE STAFFORD

I cannot stress the importance of the late session too much. This is the time of our day when bills and resolutions are passed by this House and sent to the Senate. If the House is not attentive to the readings it could well be that important matters may fall on deaf ears. While the motion permits the reading of bills by title only, it should be understood that any member may request a reading in full of any bill if he so desires.

\* \* \*

On motion of Rep Morrill the remarks of Rep. Stafford will be printed in the Journal.

## THIRD READINGS

The following bills were read a third time, passed, and sent to the Senate for concurrence:

**HB 31**

to provide that appointments to fill vacancies in boards of supervisors of the check-list shall be for the unexpired terms.

**HB 76**

to eliminate restrictions on the denominations of county bonds.

**HB 34**

relative to required equipment on motorcycles.

**HB 61**

relative to special number plates for county commissioners.

\* \* \*

## COMMUNICATION

McLANE, CARLETON, GRAF, GREENE & BROWN

FORTY STARK STREET

Manchester, New Hampshire 03101

January 10, 1969

Clerk  
House of Representatives  
Concord, New Hampshire

Dear Sir:

I am Chairman of the Interim Commission appointed pursuant to RSA Ch. 482, and in that capacity, enclose herewith the Report of this Commission to the Legislature. If additional copies are desired, please let me know as we have several available.

Will you please note that the Interim Commission recommends additional legislation as set out in Appendix A to the Report. I shall appreciate it if the necessary action is taken to submit this proposal for action by the Legislature.

Very truly yours,

Arthur A. Greene, Jr.

The Clerk read the communication in full and the Chair referred the report to the Judiciary Committee.

\* \* \*

On motion of Rep. Brungot the House adjourned at 10:48 A.M.

## *Wednesday, January 15, 1969*

The House met at 10:00 A. M.

### JOINT CONVENTION

Prayer was offered by Guest Chaplain, Rev. William H. Crouch of Concord.

This is the day which the Lord hath made; we will rejoice and be glad in it.

Almighty God, we ask thy special blessing upon all committees of this General Court. Give to each member the power of silence in listening to those who would be heard; the power of judgement above personal prejudice; and the power of speech to set forth their understanding of the issues to be passed by the whole body of their peers. This we ask in the name of him who was found both listening and asking questions amidst the learned men of his day, Jesus Christ our Lord. Amen.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Bushey led the Convention in the Pledge of Allegiance to the Flag.

### HOUSE

#### LEAVES OF ABSENCE

Rep. Thibeault of Manchester was granted leave of absence for the day on account of illness.

Rep. Barrett of Manchester was granted leave of absence for the week on account of illness. Reps. Smith of Hebron and Tibbetts of Farmington were granted indefinite leave of absence on account of illness.

### RESOLUTION

Rep. McMeekin offered the following resolution:

*Resolved*, that in accordance with the list in the possession of the clerk, House Bills numbered 198 through 209 and House Joint Resolutions numbered 13 through 16 shall be by this

resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.

## INTRODUCTION OF BILLS

HB 198, permitting towns of one thousand population or less to continue burning refuse in public open dumps. (Trowbridge of Cheshire Dist. 4 — To Public Health, Welfare & State Institutions.)

HB 199, reimbursing landowners for losses sustained through restrictions on use of marshlands. (Hammond of Rockingham Dist. 22 — To Resources, Recreation & Development.)

HB 200, to repeal certain provisions relative to excavating and dredging near tidal waters and public waters. (Hammond of Rockingham Dist. 22 — To Statutory Revision.)

HB 201, allowing local option by towns in granting to veterans the service exemption from property taxes. (Greene of Rockingham Dist. 22 — To Claims, Military & Veterans Affairs.)

HB 202, providing that vacancies in certain offices in Rockingham County be filled by the county convention. (Morrill of Rockingham Dist. 7 — To Rockingham Delegation.)

HB 203, relative to certain restrictions prohibiting the transfer of motor vehicle registrations. (Stafford of Belknap Dist. 12 — To Transportation.)

HB 204, relative to justifiable and non-commercial private dissemination of obscene matter. (Stafford of Belknap Dist. 12 — To Judiciary.)

HB 205, providing additional retirement allowances for certain retired state employees. (Fuller of Merrimack Dist. 26 — To Executive Departments & Administration.)

HB 206, to reclassify a class II highway in the town of Mason to a class V highway. (Bridges of Hillsborough Dist. 13 — To Public Works.)



HB 207, relative to the construction and maintenance of a lake management structure at Silver Lake. (Fuller of Merrimack Dist. 26, Dulac of Belknap Dist. 11, Roberts of Belknap Dist. 13, Stafford of Belknap Dist. 12, and Normandin of Belknap Dist. 9 — To Resources, Recreation & Development.)

HB 208, prohibiting certain use of vital statistics records. (Smith of Merrimack Dist. 24 — To Statutory Revision.)

HB 209, increasing the salary of the director of fish and game. (O'Neil of Cheshire Dist. 12 — To Executive Departments & Administration.)

HJR 13, providing supplemental appropriation for the New Hampshire Soldiers Home in Tilton. (Welch of Merrimack Dist. 27 — To Appropriations.)

HJR 14, in favor of Leon A. Hoik. (Fuller of Merrimack Dist. 26 — To Claims, Military & Veterans Affairs.)

HJR 15, in favor of Madeline F. Fairbanks. (Enright of Merrimack Dist. 7 — To Claims, Military & Veterans Affairs.)

HJR 16, relative to Joseph Sandquist. (Cheney of Merrimack Dist. 23 — To Claims, Military & Veterans Affairs.)

### COMMITTEE REPORTS

HB 3, relative to New England Aeronautical Institute to grant degrees. Rep. Dunham for Education. Ought to pass.

Ordered to third reading by vv.

HB 53, relative to powers of Hesser Business College to grant degrees. Rep. Dunham for Education. Ought to pass.

Ordered to third reading by vv.

HB 79, relative to the membership of the commission on interstate cooperation. Rep. Brummer for Executive Departments and Administration. Ought to pass.

Ordered to third reading by vv.

HB 38, increasing the fee for non-resident hunting licenses. Rep. Hayes for Fish and Game. Ought to pass.

At the request of Rep. Higgins Rep. Hayes explained the bill.

(discussion ensued)

Rep. Bowles moved that HB 38 be laid on the table.

On a vv the motion was lost.

Ordered to third reading by vv.

(Rep. Bridges in the Chair)

HB 40, relative to the use of deer coupons for the transportation of deer. Rep. Hayes for Fish and Game. Ought to pass.

Ordered to third reading by vv.

HB 113, requiring school districts to conduct election of their officers by non-partisan ballots. Rep. Bednar for Municipal and County Government. Ought to pass.

At the request of Rep. Trowbridge Rep. Hanson explained the bill.

(discussion ensued)

Rep. McMeekin spoke against the bill.

Reps. Hayes and O'Neil spoke in favor of the bill.

(discussion ensued)

On a vv the Chair was in doubt and requested a division.

211 members having voted in the affirmative and 67 in the negative the bill was ordered to a third reading.

(Speaker in the Chair)

HB 71, relative to filing with the secretary of state information regarding village districts established under the general laws. Rep. McMeekin for Statutory Revision. Ought to pass.

Ordered to third reading by vv.

HB 129, relative to the formation of non-profit corporations for mental health programs. Rep. McMeekin for Statutory Revision. Ought to pass.

Ordered to third reading by vv.

HB 136, legalizing proceedings at the special meeting of the Hollis School District held in the town of Hollis on October 1, 1968. Rep. McMeekin for Statutory Revision. Ought to pass.

Ordered to third reading by vv.

HB 29, repealing the provisions for special number plates for motor vehicles of citizens band radio operators. Rep. Manson B. Smith. Ought to pass.

At the request of Rep. Trowbridge Rep. Hamel explained the bill.

Ordered to third reading by vv.

HB 68, relative to the color of school buses. Rep. Hammond for Transportation. Ought to pass.

(discussion ensued)

Ordered to third reading by vv.

HB 70, relative to penalties for speeding. Rep. Shute for Transportation. Ought to pass.

On motion of Rep. Morrill HB 70 was made a Special Order of Business at 10:01 Thursday next.

\* \* \*

## RESOLUTION

Rep. Mackintosh offered the following House Concurrent Resolution No. 3.

*Whereas*, the vocational-technical institute system was created in order to train citizens of the state in the various trades and as technicians, and

*Whereas*, the vocational-technical institute system was not created for the purpose of teaching the liberal arts, or other subjects not directly related to the furtherance of its primary function,

*Now therefore* be it resolved by the General Court of New Hampshire, that it

Takes the position that the vocational-technical institute system should be operated in strict conformance with its primary purposes.

Opposes any tendency to create in effect a junior college system in the state through curriculum changes in the program of the vocational-technical institutes.

States in certain terms that if a junior college system is to be created in this state, it shall be created by act of the General Court and in no other manner.

\* \* \*

Under the Rules the Chair laid the resolution on the table for printing and referred to Education.

### COMMUNICATION

State of New Hampshire

Concord 03301

Walter Peterson  
Governor

January 14, 1969

The Honorable Marshall Cobleigh  
Speaker of the House  
State House  
Concord, New Hampshire

Dear Mr. Speaker:

The following members of the House of Representatives have been sworn in by me:

Mason, Samuel F.  
Levasaur, Alphonse  
Peabody, Raymond  
Bowlen, Wayne  
Joncas, Grace  
Dion, Robert A.  
Marsh, Harry  
Gallagher, Christopher  
Thurston, George O.  
Martel, Albina S.

Sincerely yours,  
Walter Peterson  
GOVERNOR

The Chair ordered the communication printed in the Journal.

### RESOLUTION

Rep. Spollett offered the following Resolution:

## RESOLUTION

*Whereas*, we are sorry to learn of the illness of Doloris Bridges, widow of former U. S. Senator Styles Bridges and her confinement to the Concord Hospital, therefore be it

*Resolved*, that we, the Members of the House of Representatives in General Court convened, extend our sympathy and best wishes to Mrs. Bridges in her illness, and be it further

*Resolved*, that a copy of these resolutions be transmitted to Mrs. Bridges.

\* \* \*

Resolutions adopted by vv.

Rep. Bednar moved that the ordered whereby HJR 10 was referred to Constitutional Revision committee be vacated and that the resolution be indefinitely postponed, and spoke in favor of the motion.

The Clerk read the resolution in full.

Motion adopted by vv.

\* \* \*

The Chair introduced Leon Anderson who addressed the House as follows:

We are happy to return to this House rostrum after 26 years.

We presided here one 1943 afternoon during our single legislative term. Speaker Sherman Adams, the Lincoln lumberjack, lent us that privilege for half an hour so we could impress our grandchildren by boasting of it in our old age.

That was the granddaddy of all our sessions. The House was jammed with 447 members, the all-time record. It had swollen from 423 in the 1940 census and threatened to eclipse 475 in the 1950 census.

So the constitution was speedily revised to impose our present 400 maximum to avoid building a new State House.

Still with us to mark that historic session is the 43 Legislative Club. It's a social group and its first 1969 dinner party is scheduled for this evening at the Puritan restaurant.

After three dozen years as a legislative reporter, we are now having the time of our life compiling a history of this General Court. And it is more fun than voting new taxes.

We have uncovered so much historic lore our problem now is squeezing it into a single book, which the Legislature is to publish.

\* \* \*

First off, we noticed that 1969 marks the 150th anniversary of our Capitol. Then we discovered ours is the oldest State House in the nation in which the Legislature still occupies its original chambers.

We expect Governor Peterson and the Legislature to join in sponsoring a celebration of this New Hampshire distinction. The State House is primped and pretty for it, as former Governor King and the Legislature have spent half a million dollars refurbishing the venerable building and its grounds.

\* \* \*

Failure to win committee assignment of your choice is an old story. We sought the Ways and Means Committee in 1943 and landed in the Committee on State House and State House Yard.

Nothing daunted, we did our darndest. We became clerk of the committee, which held two meetings; one to organize and one to deorganize. And we got midnight phone calls from late-late legislative wags saying dogs were bothering the State House trees and suggesting it was our duty to do something about it.

Soon thereafter this committee was abolished. Which may prove something or other.

Other good legislators have been down-graded and made good at it.

Back in 1907 the upstart Robert P. Bass of Peterboro was relegated to the chairmanship of the Committee on Retrenchment and Reform. This unit had been the pride and symbol of the Republican party half a century earlier. But by the turn of the 20th Century, retrenchment and reform had gone out of



style. So Bass was dumped into this low-grade assignment and no bills were referred to his committee.

But Bass bounced back. He bedevilled his belittlement into the Governorship and great public reforms.

Supposedly snafued, this father of former Congressman Perkins Bass talked the House into letting him make a solo investigation of state affairs, the likes of which remain unequalled. The Bass committee spent ten weeks studying our then modest state functions and came up with such shocking recommendations that even the reporters gasped.

First off, Bass said the Legislature should stop paying newsmen for disseminating its deliberations. The going rate was \$100 a session for some 30 years. This was big money for those days and the House enjoyed so many reporters it required two press tables to accommodate them all.

Bass also suggested the Legislature stop subsidizing newspapers by paying them special fees to print the session laws. He said the state could do the same at one-tenth what the newspapers — most of them Republican — had been collecting for 30 years.

Then Bass recommended that employees of the handful of state agencies then huddled in the State House be required to work more. He said they were on duty only from 9 to 12 and 2 to 5 daily and suggested the State House should serve the public from 8 to 12 and 1 to 5, with Saturday afternoon off. Bass explained this was still much shorter hours than most workers enjoyed in private industry.

So this led to the five and one-half day, 44-hour work week, with an hour off for lunch, which prevailed for many years and then got shortened to the present five-day week of seven and one-half hours daily.

The reporters' largess was twice sniggled back into the omnibus bill in the closing hours of the session. But Bass prevailed and all concerned have been happy for it ever since.

It required another 10 years before the newspapers lost their subsidies for printing the sessions laws.

The Retrenchment and Reform Committee dangled in disfavor another 20 years and was discarded in 1927.

Publisher Edward J. Gallagher of the Laconia Evening Citizen well remembers these details. He was a starry-eyed 16-year-old cub reporter at the time, who fought to squeeze a corner-grip at a press table, and saw his \$100 dream bopped by Bass.

Bass adopted retrenchment and reform as a campaign image and became Governor with it. And now, at 78, Publisher Gallagher has become our greatest living material source and inspiration in writing the history of this Legislature.

We join Speaker Cobleigh in yipping for change. We say this from our long experience, which dates back to when young Cobleigh first began clamoring as a baby for a change.

Out of our love for this giant House of Democracy has come two conclusions. Its image is poor because it lacks the vitamins of viability and visibility.

We have ducked the challenge of change for fear of criticism. And we have failed to stress our worth for fear of being accused of tooting our own horn.

We vote improvements in our state agencies and grant funds to publicize their affairs, so the people may know what they are doing. We also help local communities to promote their images. But we don't even issue a modest report of our own accomplishments, let alone virtues, for fear someone might snidely say it's sinful.

This business of relying upon everyone else and his brother to cast our shadow is for the birds. Our image will be only as good, and only as merited, as we ourselves make it.

We might suggest that legislative besmirchment is nothing new. We have been insulted by experts long before present detractors descended upon us.

Even way back in 1779 when our Legislature was only four constitutional years young and still wet in its wisdom, the members were called a bunch of cattle.

The Reverend Jeremy Belknap, revered compiler of New Hampshire's first history, and for whom Belknap County was named, wrote a Philadelphia friend:

"A member of our late House of Representatives in their last session at Exeter, returning from the Court to his lodgings in the close of the day, passed by a house where a joiner had been shingling, just as he had thrown down his hammer and was descending the ladder.

"The representative picked up the hammer, carried it to his lodgings (which were in a tavern) and pawned it for a jill of rum.

"The joiner, finding on inquiry which way the hammer went, followed it to the tavern and demanded it, but was obliged to pay for the rum before he could have it.

"Being a man of spirit, he then publicly, in a crowded room, and in the presence of divers brother representatives, warned the landlord against receiving stolen goods from members of the General Court.

"This is a specimen of the little villainy of the cattle by whom we are . . . governed; for as that Assembly is dissolved, 'tis no blasphemy to tell the truth."

If this House could talk its stories would be more than any mortal will ever record. But we have dug much and the details reflect the gamut of human emotions.

This chamber has twice been enlarged to handle the membership, which grew with the population.

It had 193 members for the June 2, 1819 opening. They sat at long desks facing the west, where the Speaker's rostrum was backed against a windowless wall. It was flanked by six seats a side for the 12-member Senate when in joint session. So in those days the Senate really looked down upon the lower House.

When the State House was enlarged in 1864, the rear was extended 19 feet westward and so was this hall. The Speaker's spot was then shifted to its present location, directly beneath George Washington, first portrait to grace the chamber in 1835.

In 1910 the chamber was enlarged 17 feet to the south and the present gallery replaced an earlier spectators' sector.

The 1864 enlargement still left the legislators in the lurch, so to speak. Their elbows continued to poke their neighbors' tummies.

There was thought of abandoning the desks to reduce the continued crowding. But new ones were installed. And the seats were placed closer than ever before, and spiked to the floor to insure the uncomfortable proximity.

The year-old Concord Monitor put the legislators new plight this way:

"Representatives Hall is large enough but the House is too large. There are 340 seats subject to draft and 326 members to draw. This makes the hall a little crowded, for the seats have to be pretty near together.

"The chairs have the good quality of making a fair bid for a short session; otherwise they are open to criticism.

"The chairs to a man of moderate length, seem a little lofty and the extremities of the short-legged members will, very likely, hang dangling in the air unless they have some sort of a cricket to support them.

"If the rural members, who can scarcely set out an hour's sermon on a Sunday, don't conclude by the last of June (there were then June sessions) that their hoeing is more necessary than legislation, and if the hard oak chairs don't ache under them by 12 o'clock every forenoon, we shall despair of any contrivance for a short session ever succeeding."

By 1900 the seating situation had become so intolerable the desks were dumped and so were the hard single-legged "milk stool" oaken seats. Stuffed chairs were installed. The comfort and leg room became the talk of the town.

These chairs were of handsome leather, bolted to the floor and sporting the State Seal. But by 1940, Jonathan Daniels observed in his book "A Southerner Discovers New England":

"As the clock moved toward eleven, the big portraits of Washington and Lincoln, Daniel Webster and Franklin Pierce and John P. Hale looked down upon the legislators filling the long semi-circular rows of dirty leather, brass nail-bound opera chairs embossed with the seal of the state."

Another score years passed, however, before this legislative deterioration was squared up to. As the House timidly tussled with betterment of its image, Rep. Joseph Geisel, the Manchester laundryman, cleaned it up. He personally purchased

the present seats in 1958 and dared the hesitant Legislature not to repay him.

So Geisel was somewhat sheepishly reimbursed for his dauntlessness by the next session, to the tune of \$23,134.90.

Rep. Stafford moved that Mr. Anderson's remarks be printed in the Journal.

Motion adopted by vv.

\* \* \*

On motion of Rep. Stafford the House adjourned from the early session and the Rules were so far suspended as to permit reading of bills by title only, and that when the House adjourns today it be to meet tomorrow morning at 10:00 o'clock.

## LATE SESSION

### THIRD READINGS

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 3, relative to New England Aeronautical Institute to grant degrees.

HB 53, relative to powers of Hesser Business College to grant degrees.

HB 79, relative to membership of the commission on interstate cooperation.

HB 38, increasing the fee for non-resident hunting licenses.

Rep. Stafford moved that HB 38 be indefinitely postponed and spoke in favor of the motion, but subsequently withdrew his motion.

Rep. Higgins spoke against the bill.

(discussion ensued)

Rep. Chris Andersen moved that HB 38 be indefinitely postponed and spoke in favor of the motion.

Reps. O'Neil and Bowles spoke against the motion.

Motion was lost by vv.

Rep. Bowles moved that HB 38 be postponed for further consideration to May 15, 1969 and spoke in favor of the motion.

Reps. Higgins and Hayes spoke against the motion.

Rep. Frizzell asked the Chair for a ruling on whether or not the bill could be amended on third reading.

The Chair ruled that the House could not amend the bill on third reading.

Rep. Higgins asked the Chair if the motion was adopted if the bill would be postponed until May 15th.

The Chair ruled that postponing a bill to a day certain would need a majority vote.

Rep. Welch of Andover spoke in favor of the Bowles motion.

#### PARLIAMENTARY INQUIRY

Rep. Chris Andersen rose on a point of parliamentary inquiry.

The Chair ruled that the membership has the power to suspend the rules on a 2/3 vote and that a reconsideration vote would be in order.

Rep. Bowles spoke a second time in favor of the motion.

(discussion ensued)

Reps. Logan and Robert Dion spoke against the motion.

Rep. Claflin moved the previous question.

Motion adopted by vv.

The question now being shall HB 38 be postponed until May 15, 1969.

Motion lost by vv.

#### PARLIAMENTARY INQUIRY

Rep. Brummer rose on a point of parliamentary inquiry.



The Chair ruled that it would be possible to have a motion to recommit the bill to committee. The Chair also ruled that the motion was not in order because the previous question motion had been adopted.

The question now being shall the bill pass.

HB 38 was read by title only, passed, and sent to the Senate for concurrence.

### RECONSIDERATION

Rep. O'Neil moved that the House reconsider its motion whereby it passed HB 38 and spoke against the motion.

Motion lost by vv.

### PARLIAMENTARY INQUIRY

Rep. Angus rose on a point of parliamentary inquiry.

The Chair ruled that the House could not move reconsideration on third reading.

The following bills were read a third time, passed, and sent to the Senate for concurrence.

HB 40, relative to the use of deer coupons for the transportation of deer.

HB 113, requiring school districts to conduct election of their officers by non-partisan ballots.

HB 71, relative to filing with the secretary of state information regarding village districts established under the general laws.

HB 129, relative to the formation of non-profit corporations for mental health programs.

HB 136, legalizing proceedings at the special meeting of the Hollis School District held in the town of Hollis on October 1, 1968.

HB 29, repealing the provisions for special number plates for motor vehicles of citizens band radio operators.

Rep. Sayer spoke against the bill, and then moved that the bill be indefinitely postponed.

The Chair ruled that the motion to postpone was not in order as the member had addressed the House before the motion.

Rep. Tasoulas moved that HB 29 be postponed until March 20, 1969 and spoke in favor of the motion.

Rep. Hamel spoke against the motion.

On a vv the motion lost.

The question now being shall the bill pass.

HB 29 was read by title only, passed, and sent to the Senate for concurrence.

### RECONSIDERATION

Rep. Hamel moved that the House reconsider its action whereby it passed HB 29 and spoke against the motion.

Motion lost by vv.

The following bill was read a third time, passed, and sent to the Senate for concurrence.

HB 68, relative to the color of school buses.

\* \* \*

On motion of Rep. Dorothy Davis the House adjourned at 11:59 A.M.

---

*Thursday, January 16, 1969*

The House met at 10:00 o'clock.

(Rep. Logan in the Chair)

Prayer was offered by Guest Chaplain, Rev. William H. Crouch of Concord.

This is the day which the Lord hath made; we will rejoice and be glad in it.

O God, our Father, who has given us the vision of all voices being heard by our choosing some to speak: endue with wis-

dom the governor and council of this state, guide the president and senate, inspire the speaker and representatives of this house that they each may stand ready to dispute all worthy matters in honesty and charity. Keep their vision clear, their courage strong and their minds unclouded by petty desires that each may indeed be honourable members of this General Court to speak for all the people of this state. Amen.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Fernald led the Convention in the Pledge of Allegiance to the Flag.

### HOUSE

(Rep. Bridges in the Chair)

### LEAVES OF ABSENCE

Rep. Hoar was granted leave of absence for the day on account of car trouble.

Rep. Cobleigh was granted leave of absence for today and next week on account of important business.

### RESOLUTION

Rep. McMeekin offered the following resolution:

*Resolved*, that in accordance with the list in the possession of the clerk, House Bills numbered 210 through 217 and House Joint Resolutions numbered 17 through 20 and Concurrent Resolutions Proposing Constitutional Amendments numbered 8 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.

### INTRODUCTION OF BILLS

HB 210, relating to dogs as a menace. (Fuller of Merrimack Dist. 26 & Hanson of Merrimack Dist. 6 — To Public Health.)

HB 211, reducing the basic work week of law enforcement employees to forty hours with no limit on overtime. (Welch of

Merrimack Dist. 18 — To Executive Departments & Administration.)

HB 212, providing for the assessment and collection of a special head tax for state purposes. (Leavitt of Rockingham Dist. 21 — To Ways & Means.)

HB 213, relative to suspension of motor vehicle operator's license for convictions for speed or stop sign violation. (Remick of Carroll Dist. 4 — To Transportation.)

HB 214, increasing the percentage of the tax on the transfer of real property which is paid to the register of deeds. (Bell of Grafton Dist. 18 — To Municipal & County Government.)

HB 215, providing for a specific penalty for sale of alcoholic beverages to minors. (Galvin of Merrimack Dist. 27 — To Liquor Laws.)

HB 216, relative to the use of motorboats by juveniles. (Burleigh of Merrimack Dist. 14 — To Resources, Recreation & Development.)

HB 217, relative to suspension of motor vehicle operator's license of a person involved in an accident after drinking. (Remick of Carroll Dist. 4 — To Judiciary.)

HJR 17, to reimburse Richard Paul Pavlick for the time he was confined in New Hampshire Hospital. Strafford of Belknap Dist. 12 — To Appropriations.)

HJR 18, establishing an interim commission to study the implementation of home rule legislation and making an appropriation therefor. (Wallin of Hillsborough Dist. 14 — To Constitutional Revision.)

HJR 19, establishing a committee to investigate and recommend means of alleviating the real estate burden on the elderly. (Clark of Strafford Dist. 4 — To Ways & Means.)

HJR 20, establishing an interim commission to study the election laws. (Carrier of Hillsborough Dist. 27 — To Statutory Revision.)

CACR 8, relating to: When the General Court is to Meet proposing that: The General Court shall meet annually for not more than Forty-five Days in any Year. (Cate of Merrimack Dist. 20 — To Constitutional Revision.)

## COMMITTEE REPORTS

HB 92, to specifically include women veterans in the class of persons eligible for admission to the soldiers' home. Rep. Sawyer for Claims, Military & Veterans Affairs. Ought to pass.

Ordered to third reading by vv.

HJR 1, in favor of Julie Locke and Herve Pelchat. Rep. Sawyer for Claims, Military & Veterans Affairs. Ought to pass.

Ordered to a third reading by vv.

HB 54, authorizing Daniel Webster Junior College to grant associate degrees. Rep. Dunham for Education. Ought to pass with amendment.

## AMENDMENT

Amend section 1 of said bill by striking out in lines nine, ten and eleven the words "and to give customary honorary recognition to outstanding individuals for noteworthy achievement during that period" and inserting in place thereof the words (provided that it receives the approval of the coordinating board of advanced education and accreditation) so that said section as amended shall read as follows:

1 Daniel Webster Junior College. Daniel Webster Junior College, a voluntary corporation formed under the provisions of RSA 292 and carrying on its activities in the city of Nashua, is hereby authorized and empowered to establish and maintain in said city an institute of learning to be known as Daniel Webster Junior College, to prescribe the rules for the government of said college and the courses of studies to be pursued therein, and to confer upon graduates thereof the degree of associate of arts to the qualifying candidates for the period from June 1, 1969, through June 30, 1971, provided that it receives the approval of the coordinating board of advanced education and accreditation.

\* \* \*

Amendment adopted and the bill was ordered to third reading by vv.

HB 105, relative to authority of Franklin Pierce College to confer degrees. Rep. Dunham for Education. Ought to pass with amendment.

## AMENDMENT

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Franklin Pierce College. Amend section 1, chapter 471 Laws of 1965, by striking out said section and inserting in place thereof the following: 471:1 Franklin Pierce College. Franklin Pierce College, a voluntary corporation formed under the provisions of RSA 292 is hereby authorized and empowered to establish and maintain an institute of learning to be known as Franklin Pierce College, to prescribe the rules for the government of said college and the courses of studies to be pursued therein, and to confer upon graduates thereof the degrees of bachelor of arts and bachelor of science to the qualifying candidates and to give customary honorary recognition to outstanding individuals for noteworthy achievement.

\* \* \*

Amendment adopted and the bill was ordered to third reading by vv.

SB 20, changing the effective date of an act relative to the election of members of the board of the Concord union school district. Rep. Dunham for Education. Ought to pass.

Ordered to third reading by vv.

HB 109, requiring full disclosure of salaries paid to lobbyists who are full time staff members of legislative interest groups. Rep. Van H. Gardner for Executive Departments & Administration. Inexpedient to legislate.

Resolution adopted by vv.

HB 39, relative to the penalty for misuse of fish and game licenses. Rep. Hayes for Fish and Game. Ought to pass with amendment.

## AMENDMENT

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Penalty. Amend RSA 214:37 as amended by 1959, 29:2 by striking out said section and inserting in place thereof the following: 214:37 Fines. Any person who violates the provisions



of this chapter shall be fined not less than fifty dollars nor more than one hundred dollars no portion of which shall be suspended. A person who furnished to another person, or permits another person to have or use, a license issued to himself or any other person, or changes or alters such license or coupon, or uses a license or license coupon issued to another person, or makes a false statement in an application, or knowingly guides a hunter who has not a license as provided in RSA 215, shall be fined not less than fifty dollars nor more than one hundred dollars no portion of which shall be suspended.

\* \* \*

Amendment adopted and the bill was ordered to third reading by vv.

HB 42, making appropriation for search and rescue of lost persons and other disasters. Rep. Maynard for Fish and Game. Ought to pass.

Under the Rules the Chair referred HB 42 to Appropriations.

HB 43, relative to fish and game licenses for members of armed forces. Rep. O'Neil for Fish and Game. Ought to pass.

Ordered to third reading by vv.

HB 33, relative to college requirements for registration in optometry. Rep. Tasoulas for Public Health, Welfare and State Institutions. Ought to pass with amendment.

### AMENDMENT

Amend section 1 of said bill by striking out said section and inserting in place thereof the following:

1 Practice of Optometry. Amend RSA 327:6, as amended by 1957, 36:2 by striking out in lines ten and eleven the words "that he is a citizen of the United States", by striking out in line twelve the words "one year" and inserting in place thereof the words (two years) and by striking out in line fifteen the word "three" and inserting in place thereof the word (four) so that said section as amended shall read as follows: 327:6 Certificates of Qualifications and Fees. No person, except as otherwise provided in this chapter, shall practice optometry until he shall have passed an examination approved by the board in theoretic-

al, practical and physiological optics, in theoretical and practical optometry, and in anatomy, physiology and pathology of the eye, and shall have demonstrated his ability to properly use the ophthalmoscope, the retinoscope, and other scientific instruments and methods used in the practice of optometry, and shall have been registered and shall have received a certificate of qualification in optometry. Every applicant for examination shall present satisfactory evidence in the form of affidavit properly sworn to, that he is over twenty-one years of age and of good moral character, that he has had two years at a college or junior college of arts and sciences with satisfactory grades, and graduated from a school or college of optometry approved by the board, maintaining a minimum of four years in optometric training. The fee for the examination for registration shall be twenty-five dollars, and those passing the examination shall receive the certificate of qualification without additional charges. Any person failing to pass a satisfactory examination shall be entitled to re-examination at any future meeting of the board within two years without further fee; after two years the charge will be five dollars for each subsequent examination.

\* \* \*

Amendment adopted and the bill was ordered to a third reading by vv.

HB 103, relative to radiation protection and control. Rep. Harold Drew for Public Health, Welfare and State Institutions. Ought to pass.

At the request of Rep. Coburn, Rep. Cleon Heald explained the bill.

Ordered to third reading by vv.

HB 95, adopting the interstate regional planning compact and authorizing the state to enter into such compact with contiguous states. Rep. Claflin for Resources, Recreation & Development. Ought to pass with amendment.

### AMENDMENT

Amend article IV of RSA 36-B:1 as inserted by section 1 of the bill by striking out said article and inserting in place thereof the following:

## Article IV

A municipality which becomes a member of a regional planning agency in another state may regard any plans, studies, proposals, and recommendations by such agency as advisory and need not be bound by them, and shall not be required to make any financial contribution thereto unless said contribution has been voted by its legislative body.

\* \* \*

Amendment adopted and the bill was ordered to a third reading by vv.

HB 97, legalizing the annual meeting of the town of North Hampton, March 12, 1968. Rep. Shindledecker for Statutory Revision. Ought to pass.

Ordered to third reading by vv.

HB 112, relative to use of funds held by the Trustees of the Boscawen Academy in Boscawen. Rep. Shindledecker for Statutory Revision. Ought to pass.

Ordered to third reading by vv.

## SPECIAL ORDER

Rep. Morrill called for special order of HB 70, relative to penalties for speeding.

Rep. Williamson offered the following amendment.

## AMENDMENT

Amend the bill by adding the following sentence to paragraph 1:

Said penalty shall not be applied at a rate greater than five dollars per mile of excessive speed for the first violation or ten dollars per mile of excessive speed for the second violation.

\* \* \*

The clerk read the amendment in full.

Rep. Williamson spoke in favor of the amendment.

(discussion ensued)

Rep. Morrill spoke against the amendment.

(discussion ensued)

Reps. Elmer Johnson, Raymond and Elmer York spoke in favor of the amendment.

Rep. Williamson spoke a second time in favor of the amendment.

Amendment adopted and the bill was ordered to third reading by vv.

Rep. Merrifield wished to be recorded as voting "No" on HB 70.

\* \* \*

Reps. Logan and Raiche offered the following resolution:

#### RESOLUTION

*Whereas*, Francis W. Tolman, Clerk of the House is ill and may not return to his job for an indefinite time, therefore be it

*Resolved*, that Assistant Clerk, J. Milton Street, be appointed Acting Clerk of the House until such time as the Clerk returns, and during the time he is carrying out the duties of the Clerk he shall receive the same salary as the Clerk, and be it further

*Resolved*, that this resolution be made retroactive to January 6, 1969.

Resolution adopted by vv.

\* \* \*

Rep. Spollett offered the following resolution:

#### CONCURRENT RESOLUTION

*Whereas*, we have learned with deep sorrow of the death of Doloris Bridges, widow of former U. S. Senator Styles Bridges, therefore be it

*Resolved*, that we, the Members of the House of Representatives and the Senate, in General Court convened, extend our sympathy to the family of Mrs. Bridges, and be it further

*Resolved*, that a copy of these resolutions be transmitted to Mrs. Bridges' family.

\* \* \*

Resolutions adopted by vv.

\* \* \*

Rep. Burns offered the following resolution:

*Whereas*, a member of the legislature has requested a bill increasing the gasoline tax by one cent per gallon, the proceeds of which shall be given to the cities and towns for their own use in construction, reconstruction and maintenance of class IV and V highways, provided that said proceeds shall be distributed on a per mile basis and shall be in addition to any other highway aid; and

*Whereas*, the constitutionality of such legislation has been questioned as violating Article 6-a of Part Second of the Constitution of New Hampshire; now therefore, be it

*Resolved*, that the attorney general be requested to issue a ruling on the constitutionality of the proposed legislation.

Reps. Raiche and O'Neil spoke in favor of the resolution.

Resolution adopted by vv.

\* \* \*

Rep. Vachon of Manchester offered the following resolution.

## RESOLUTION

*Whereas*, we are sorry to learn of the illness of Bertha Boutwell, an attache of the House of Representatives for many years, therefore be it

*Resolved*, that we, the members of the House of Representatives in General Court convened, extend our sympathy to Mrs. Boutwell in her illness and our best wishes for a speedy recovery, and be it further

*Resolved*, that a copy of these resolutions be transmitted to Mrs. Boutwell.

\* \* \*

Resolutions adopted by vv.

Rep. Bell offered the following resolution:

### RESOLUTIONS

*Whereas*, we have learned with deepest sorrow of the passing of a former Representative, Harold Webster of Holderness, and

*Whereas*, Mr. Webster served his community faithfully and with efficiency, therefore be it

*Resolved*, that we, the members of the House of Representatives in General Court convened, do hereby extend our sympathy to the family of Mr. Webster, and be it further

*Resolved*, that a copy of these resolutions be transmitted to his widow, Mrs. Constance Webster.

\* \* \*

Resolutions adopted by vv.

On motion of Rep. Stafford the House adjourned from the early session and the Rules were so far suspended as to read bills by title only and that when the House adjourned today it be in memory of Mrs. Deloris Bridges and to meet next Tuesday morning at 11:00 o'clock.

### LATE SESSION

#### THIRD READINGS

The following bills and House Joint Resolutions were read a third time, passed, and sent to the Senate for concurrence:

HB 92, to specifically include women veterans in the class of persons eligible for admission to the soldiers' home.

HJR 1, in favor of Julie Locke and Herve Pelchat.

HB 54, authorizing Daniel Webster Junior College to grant associate degrees.

HB 105, relative to authority of Franklin Pierce College to confer degrees.

HB 39, relative to the penalty for misuse of fish and game licenses.

HB 43, relative to fish and game licenses for members of the armed forces.



Rep. Higgins moved that the Rules of the House be so far suspended as to place HB 43 back on second reading and spoke in favor of the motion.

The Chair ruled that a motion for suspension of the Rules requires a 2/3 vote.

The motion lost by vv.

The bill was read a third time, passed, and sent to the Senate for concurrence.

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 33, relative to college requirements for registration in optometry.

HB 103, relative to radiation protection and control.

HB 95, adopting the interstate regional planning compact and authorizing the state to enter into such compact with contiguous states.

HB 97, legalizing the annual meeting of the town of North Hampton, March 12, 1968.

HB 112, relative to use of funds held by the Trustees of the Boscawen Academy in Boscawen.

HB 70, relative to penalties for speeding.

### RECONSIDERATION

Rep. Williamson having voted with the majority moved that the House reconsider its action whereby it passed HB 70 and spoke against the motion.

Motion lost by vv.

\* \* \*

The following Senate Bill was read a third time, passed, and sent to the Secretary of State to be engrossed.

SB 20, changing the effective date of an act relative to the election of members of the board of the Concord union school district.

\* \* \*

On motion of Rep. Sterling the House adjourned at 11:32 in memory of Mrs. Deloris Bridges.

*Tuesday, January 21, 1969*

(Rep. Logan in the Chair)

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain Rev. William L. Shafer of Chichester as follows:

Almighty God — as our nation has witnessed the orderly transfer of political power and heard the promise of renewal in the challenge to go forward, together, in Thy Name; so endow the new President of our United States, Richard M. Nixon, with courage and strength to fulfill his stated mission of peace and prosperity. Grant unto our Nation and State, through the endeavors of its citizens, the vision to preserve our heritage of freedom by their active participation in our great American experiment and dream. Enable the members of this Joint Convention, by Thy mercy and loving care, to responsibly undertake their many duties as they labor together in search of truth to govern their wisdom. This we ask, dear Lord and Father of mankind, in Thy Name that we may glorify and honor Thee in all that we do. Amen.

#### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Kimball led the Convention in the Pledge of Allegiance to the Flag.

#### HOUSE

#### LEAVES OF ABSENCE

Reps. Reddy and Tibbets were granted leave of absence for the day on account of illness.

Rep. Philips was granted an indefinite leave of absence on account of illness.

Rep. Martin was granted leave of absence for the week on account of important business.

Rep. Tilton was granted leave of absence for the week on account of a death in the family.

COMMUNICATION

State of New Hampshire

Secretary of State

January 16, 1969

Mr. Francis Tolman, Clerk  
House of Representatives  
State House  
Concord, New Hampshire

Dear Mr. Tolman:

Enclosed please find a letter of resignation from the House of Representatives from Representative-elect John W. Wright, Jr., of Merrimack, Hillsborough County District No. 25.

Very truly yours,

Robert L. Stark,  
Secretary of State

RLS/fhl  
Enc.

Box 416  
Lake Montezuma,  
Arizona 86336  
Jan. 13, 1969

Hon. Robert L. Stark  
Secretary of State  
State House  
Concord, New Hampshire

Dear Sir:

Please consider this my resignation as representative from the town of Merrimack (District 25, Hillsborough County). I have been unable to attend to date because of the necessity of relocating my family. I probably will not return to New Hampshire for several months and therefore cannot properly fulfill my obligation to the people of Merrimack.

Sincerely,  
John W. Wright, Jr.

(Rep. Stafford in the Chair)

## RESOLUTION

Mr. McMeekin of Haverhill offered the following resolution:

*Resolved*, that in accordance with the list in the possession of the clerk, House Bills numbered 218 through 226 and House Joint Resolutions numbered 21 and 22 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.

\* \* \*

## INTRODUCTION OF BILLS

HB 218, relative to membership on state council on aging. (Roberts of Belknap Dist. 6, Rich of Grafton Dist. 1, Brummer of Grafton Dist. 4, & Brungot of Coos Dist. 8 — To Executive Departments & Administration)

HB 219, enacting the Interstate Agreement on Qualification of Educational Personnel. (Clark of Strafford Dist. 4 — To Education)

HB 220, relative to power of McIntosh College, Inc., to grant degrees. (Murphy of Strafford Dist. 18 — To Education)

HB 221, changing the name of Dorr Pond in the town of Wakefield to Belleau Lake. (Fox of Carroll Dist. 8 — To Public Works)

HB 222, relative to the timing of county audits by the tax commission and relative to certain expenses of municipal audits. (Bednar of Hillsborough Dist. 23 — To Municipal & County Government)

HB 223, changing the word "invoice" to inventory in relation to taxation of property. (Bednar of Hillsborough Dist. 23 — To Municipal & County Government)

HB 224, providing for the classification of Lake Sunapee. (Sherman of Merrimack Dist. 2, Andrews of Merrimack Dist. 1, & Merrifield of Sullivan Dist. 8 — To Resources, Recreation & Development)

HB 225, providing for the acquisition of a certain dam and water rights on North River Pond in the town of Nottingham and making appropriation for the repair thereof. (Stimmell & Fernald of Rockingham Dist. 1, Morrow of Strafford Dist 3 — To Resources, Recreation & Development)

HB 226, to provide for the pre-filing of bills with the director of legislative services. (Roberts of Belknap Dist. 6 — To Legislative Revision)

HJR 21, to make an additional appropriation for the fiscal year ending June 30, 1969, for the payment of counsel for indigent defendants in criminal cases. (Johnson of Grafton Dist. 9 — To Appropriations)

HJR 22, in favor of Alice V. Flanders. (McMeekin of Grafton Dist. 6 — To Claims, Military & Veterans Affairs)

### COMMITTEE REPORTS

HB 11, relative to cooperative extension work at the university of New Hampshire. Rep. Fernald for Agriculture. Ought to pass.

Ordered to third reading by vv.

HB 15, relative to county appropriations for cooperative extension service. Rep. Fernald for Agriculture. Ought to pass.

Ordered to third reading by vv.

### RECONSIDERATION

Rep. McMeekin, having voted with the majority, moved that the order whereby HB 11 was ordered to a third reading be vacated and the bill be referred to Appropriations under the Rules.

Rep. McMeekin spoke in favor of the motion.

Motion adopted by vv.

HB 11, relative to cooperative extension work at the university of New Hampshire was referred to Appropriations under the Rules.

## COMMITTEE REPORTS CONTINUED

HB 114, relative to reimbursement of orchardists for damage to trees and shrubs by game. Rep. Fernald for Agriculture. Inexpedient to legislate.

Resolution adopted by vv.

HB 121, relative to payment for damages caused by wild animals to livestock and poultry. Rep. Fernald for Agriculture. Inexpedient to legislate.

Resolution adopted by vv.

HB 125, relative to motor vehicle liability insurance policies held by insureds of 70 years or greater. Rep. Reddy for Banks and Insurance. Ought to pass.

At the request of Rep. Angus Rep. Bigelow explained the bill.

Ordered to third reading by vv.

HB 30, providing that certain holidays be observed on Mondays. Rep. Jennie Bennett for Constitutional Revision. Inexpedient to legislate.

Resolution adopted by vv.

CA-CR 5, relating to certain county officers being appointive rather than elective. Rep. Aucella for Constitutional Revision. Inexpedient to legislate.

Resolution adopted by vv.

HB 108, to establish a college of medicine at the university of New Hampshire. Rep. Dunham for Education. Inexpedient to legislate.

Resolution adopted by vv.

(Rep. Frizzell in the Chair)

HB 41, relative to the power of the director of fish and game for the protection of deer herds. Rep. Austin for Fish and Game. Ought to pass with amendment.

## AMENDMENT

Amend said bill by striking out section 1 and inserting in place thereof the following:



1 Director's Power. Amend RSA 208:4-a as inserted by 1963, 298:3 by inserting in line two after the words "section 2" the following (or any other provision of the law) and by striking out in lines six and seven the words "one hundred dollars" and inserting in place thereof the following (three hundred dollars nor less than fifty dollars, no portion of which shall be suspended) so that said section as amended shall read as follows: 208:4-a Protection of Herd. Notwithstanding the provisions of section 2 or any other provision of the law, the director of fish and game, whenever he shall deem such action necessary to protect and conserve the deer herd of the state, shall have the authority to close any section of the state to hunting and taking deer. Any person hunting and taking deer from an area of the state closed to such hunting and taking hereunder shall be fined not more than three hundred dollars nor less than fifty dollars, no portion of which shall be suspended.

Amendment adopted and the bill was ordered to a third reading.

HB 44, increasing the penalty for violation of clam laws. Rep. Hoar for Fish and Game. Ought to pass.

Ordered to third reading by vv.

HB 45, to prohibit loaded firearms on snow traveling vehicles at anytime. Rep. Maynard for Fish and Game. Ought to pass.

Rep. Hayes explained the bill.

Ordered to third reading by vv.

HB 50, relative to carrying fish and game licenses. Rep. Hoar for Fish and Game. Ought to pass.

Ordered to third reading by vv.

HB 67, relative to stenographers for judges of probate. Rep. Healy for Judiciary. Ought to pass.

Ordered to third reading by vv.

HB 20, specifically including certain construction materials in the class of "merchandise" to be weighed by a public weigher. Rep. Hanson for Municipal and County Government. Ought to pass.

At the request of Rep. Keeney Rep. James Allen explained the bill.

(discussion ensued)

Ordered to third reading by vv.

HB 93, to clarify the statutes regulating the deadline for submission of articles to be inserted in the warrant. Rep. Stuart Allan for Municipal and County Government. Ought to pass.

At the request of Rep. Angus Rep. Hanson explained the bill.

Ordered to third reading by vv.

HB 150, relative to lights on a motor vehicle. Rep. Carter for Transportation. Ought to pass.

At the request of Rep. Michels Rep. Morrill explained the bill.

(discussion ensued)

Rep. Michels moved that HB 150 be made a special order of business for 11:01 Wednesday, 1-22 and spoke in favor of the motion.

Rep. Angus spoke in favor of the motion.

Motion adopted by vv.

\* \* \*

## INTRODUCTION OF A HOUSE JOINT RESOLUTION

HJR 23, in favor of Francis W. Tolman et al.

Rep. Stafford moved that the Rules of the House be so far suspended as to dispense with the printing and reference to committee on HJR 23 and that the resolution be placed on third reading by title only at the present time.

The Clerk read the resolution in full.

There are hereby appropriated the following sums to be paid to the listed persons for payment in full of all compensation due them for services for the 1969 General Court prior to its convening: Francis W. Tolman, five hundred nineteen dol-

lars, twelve cents; Margaret L. MacPherson, one hundred five dollars, twenty-four cents; J. Milton Street, two hundred eighty-eight dollars; Dorothy M. Spear, one hundred one dollars, sixteen cents; Lloyd Fogg, one hundred ninety-five dollars; Shirley Welch, eighteen dollars, ninety-six cents; Edward G. Masi, fifty dollars, seventy-two cents; Roger C. Quimby, ninety-four dollars, eighty cents; Ruth West, one hundred fourteen dollars, eighty cents; Laura O'Neil, one hundred fourteen dollars, eighty cents; Albert E. Barcomb, one hundred five dollars, seventy-six cents; Forrest Bucklin, fifty-two dollars, ninety-six cents; Herbert Richardson, twenty-six dollars; George Heon, twenty-four dollars, eighty-eight cents; Bertha Boutwell, nineteen dollars, ninety-six cents; R. L. Robinson, fifty-seven dollars, four cents; John Leahy, sixty-six dollars; Irene Landry, forty-seven dollars, four cents; Beth Lougee, forty-seven dollars, four cents; William L. Woodward, one hundred forty-two dollars, sixty cents. Said sums shall be a charge against the legislative appropriation.

Rep. Stafford explained the resolution.

The Clerk read the resolution in full.

Reps. Stafford and Angus spoke in favor of the resolution.

At the request of Rep. Williamson Rep. Stafford explained the resolution.

(discussion ensued)

Reps. Williamson, Raiche and McMeekin spoke in favor of the motion.

(discussion ensued)

Rep. Maloomian moved the previous question, and it was unanimously adopted.

The question now being to suspend the Rules, to dispense with printing, committee reference and that the resolution be placed on third reading and final passage at the present time.

The Chair ruled that it would take two-thirds vote to suspend the Rules.

Resolution adopted by vv.

Ordered to third reading by vv.

## THIRD READING

HJR 23, in favor of Francis W. Tolman et al. was read a third time, passed, and sent to the Senate for concurrence.

\* \* \*

## COMMITTEE REPORT

The Committee on Appointment of Chaplain announced that it had selected William Shafer House Chaplain for the 1969 Joint Convention.

\* \* \*

Rep. Logan explained the announcement for the 1:00 o'clock session for next week.

(discussion ensued)

## PERSONAL PRIVILEGE

Rep. Maloomian rose on a point of personal privilege.

\* \* \*

Rep. Cleon Heald moved that the order whereby HB 210 was referred to Public Health be vacated and the bill be referred to Municipal and County Government and spoke in favor of the motion.

Motion adopted by vv.

On motion of Rep. Stafford the House adjourned from the early session and the Rules were so far suspended as to read bills by title only and that when the House adjourned today it be to meet tomorrow at 11:00 o'clock.

\* \* \*

Rep. D'Amante moved that the House meet Tuesday next at 11:00 o'clock and subsequently withdrew his motion.

## LATE SESSION

## THIRD READINGS

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 15, relative to county appropriations for cooperative extension service.

HB 125, relative to motor vehicle liability insurance policies held by insureds of 70 years or greater.

HB 41, relative to the power of the director of fish and game for the protection of deer herds.

HB 44, increasing the penalty for violation of clam laws.

HB 45, to prohibit loaded firearms on snow traveling vehicles at anytime.

HB 50, relative to carrying fish and game licenses.

HB 67, relative to stenographers for judges of probate.

HB 20, specifically including certain construction materials in the class of "merchandise" to be weighed by a public weigher.

HB 93, to clarify the statutes regulating the deadline for submission of articles to be inserted in the warrant.

Rep. D'Amante moved that the House meet at 11:00 o'clock Tuesday, January 28 and spoke in favor of the motion.

Rep. Stafford spoke against the motion.

Rep. D'Amante withdrew his motion.

\* \* \*

On motion of Rep. Eastman the House adjourned at 12:25 P.M.

*Wednesday, January 22, 1969*

(Rep. Logan in the Chair)

The House met at 11:00 o'clock.

### JOINT CONVENTION

Prayer was offered by House Chaplain Rev. William L. Shafer of Chichester as follows:

Almighty God, teach us to be wise in counsel, calm in action, and sincere in motive as we enter upon a new day of labor for Thee. With the deepest sense of reverence we undertake the numerous duties assigned to our care, and with Thy help we promise just consideration of every cause, and with Thy strength we pledge responsible action through reasonable decision. Keep us safe from error in judgment and thought as we endeavor to fulfill our sacred obligations as Members of this Joint Convention. Channel our every ambition to serve with honor, as exemplified in the pattern of life set forth by the Lord Jesus Christ, that we may be continually worthy of our calling and deserving of Thy grace. Let Thy Spirit be upon us this day. Amen.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Rolfe led the Convention in the Pledge of Allegiance to the Flag.

### HOUSE

#### LEAVES OF ABSENCE

Rep. Clement was granted leave of absence for the day on account of illness.

Reps. Antoinette Roy, Roger Duhaime, Donald Welch and Walker were granted leave of absence for the day on account of important business.

(Rep. O'Neil in the Chair)

Rep. McMeekin offered the following Resolution:

### RESOLUTION

*Resolved*, that in accordance with the list in the possession



of the clerk, House Bills numbered 227 through 232 and House Joint Resolutions numbered 24 and 25 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.

### INTRODUCTION OF BILLS

HB 227, to legalize greyhound racing in New Hampshire and to establish a state greyhound racing commission. (Belanger of Hillsborough Dist. 36 — To Ways & Means)

HB 228, to authorize cooperative banks and building and loan associations to invest in real estate. (Cheney of Merrimack Dist. 23 — To Banks & Insurance)

HB 229, to authorize cooperative banks and building and loan associations to act as trustee for self-employed individual retirement plans. (Cheney of Merrimack Dist. 23 — To Banks & Insurance)

HB 230, correcting certain technical errors in the chapter on taxes on transfer of real property. (Coggeshall of Sullivan Dist. 6 — To Statutory Revision)

HB 231, relative to certificates without examination for the practice of psychology and relative to associate psychologists. (Greene of Rockingham Dist. 22 — To Public Health)

HB 232, authorizing the director to make regulations relative to importing or releasing wild life in this state. (Hoar of Rockingham Dist. 13 — To Fish and Game)

HJR 24, making an appropriation for the 1969 World Cup Ski Championships at Waterville Valley in New Hampshire. (McKenzie of Cheshire Dist. 16 — To Appropriations)

HJR 25, making an additional appropriation for fiscal 1969 to continue printing of the market bulletin. (Underwood of Rockingham Dist. 12 — To Appropriations)

## COMMITTEE REPORTS

HB 19, providing that certain holidays be observed on Mondays each year. Rep. Jennie Bennett for Constitutional Revision. Ought to pass.

Ordered to third reading by vv.

HB 101, authorizing Notre Dame College to confer certain associate degrees. Rep. Dunham for Education. Ought to pass with amendment.

## AMENDMENT

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Notre Dame College. Amend section 16 of chapter 16, Laws of 1950, by inserting in line thirteen after the word "music" the words (associate of arts, associate of science) and by inserting at the end of said section the words (provided that the granting of said associate degrees is approved by the coordinating board of advanced education and accreditation) so that said section as amended shall read as follows: 16. Sisters of Holy Cross; Powers Increased. The Sisters of Holy Cross and Seven Dolors, a voluntary corporation formed under the provisions of chapter 272 of the Revised Laws of New Hampshire in the year one thousand nine hundred and fifty, and carrying on its activities in Manchester in the County of Hillsborough, is hereby authorized and empowered to establish, maintain and direct in the said city of Manchester, a college for the higher education of women to be called "Notre Dame College" or "College Notre Dame"; to prescribe the rules for the government of said college and the course of studies to be pursued therein, and to confer upon the graduates thereof the degree of bachelor of arts, bachelor of science, bachelor of education, bachelor of music, associate of arts, associate of science and such other degrees and diplomas as are conferred by institutions of like character; provided that the granting of said associate degrees is approved by the coordinating board of advanced education and accreditation.

\* \* \*

Amendment adopted and the bill was ordered to a third reading by vv.

HB 146, requiring that an institution of higher learning which has ceased to conduct courses file its records with the coordinating board. Rep. Dunham for Education. Ought to pass with amendment.

### AMENDMENT

Amend the title of said bill by striking out said title and inserting in place thereof the following:

### AN ACT

requiring an institution of higher learning which has ceased to conduct courses to file its records with the coordinating board and to be re-evaluated by said board if instruction is resumed.

Amend said bill by inserting after section 1 the following new section:

2 Re-evaluation. Amend RSA 292 by inserting after section 8-f (supp) as amended by 1967, 288:2 the following new section: 292:8-ff Reactivation. Any institution of higher learning which has not conducted regular instruction for three consecutive years and whose charter has not been repealed shall, before announcing a resumption of instruction, submit its plans to the board and be evaluated and approved in the same way as required of new institutions under section 8-f.

Further amend said bill by renumbering section 2 to read section 3.

\* \* \*

Amendment adopted and the bill was ordered to a third reading by vv.

HB 48, relative to public works projects performed on force account basis. Rep. Moran for Executive Departments and Administration. Ought to pass with amendment.

### AMENDMENT

Amend said bill by inserting after section 1 the following new section:

2 Limitation on Contracts. Amend RSA 228:4 I (supp) as amended by 1967, 121:1 by striking out in line nineteen the figure "\$10,000" and inserting in place thereof the figure (\$25,000) so that said paragraph as amended shall read as

follows: I. It is hereby declared to be the policy of the state that major state projects, except normal highway and bridge maintenance and betterments, state aided town roads and bridges, and state aid road and state aid bridge projects, where federal funds are not involved; maintenance and betterments on fixed plants or buildings, the estimated cost of which is \$5,000 or less; and such projects, with the approval of the governor and council, as may be executed under chapter 481, RSA, when financed either (a) by the use of not exceeding \$5,000 appropriated by the legislature, and (b) by use of funds obtained through the sale of revenue bonds or by use of funds obtained from a source other than an appropriation by the legislature or by both (a) and (b), shall be built by the contract method under competitive bidding, and that independent registered professional architects or registered professional engineers shall be employed for the construction, maintenance and betterments on fixed plants or buildings whose cost exceed \$75,000. It is further declared to be the policy of the state that all awards under such competitive bidding shall be to the lowest responsible bidder. It is further declared to be the policy of the state that state contract construction shall not be performed on the basis of a cost-plus contract, so-called. Projects not in excess of \$25,000 may be done on a force account basis upon the recommendation of the commissioner with the approval of the governor and council and it is further provided, that in an emergency, such sum may be exceeded upon the recommendation of the commissioner with the approval of the governor and council.

Further amend said bill by renumbering section 2 to read section 3.

\* \* \*

At the request of Rep. Sheldon Barker Rep. Moran explained the bill.

#### RECESS AFTER RECESS

Amendment adopted and the bill was ordered to a third reading by vv.

HB 21, providing for breath tests under implied consent law, and permitting registered nurses to draw blood for tests. Rep. Healy for Judiciary. Inexpedient to legislate.

Resolution adopted by vv.

HB 23, relative to the unlawful consumption of alcohol by minors. Rep. Brummer for Judiciary. Inexpedient to legislate.

Resolution adopted by vv.

HB 128, relative to the bureau of family care in the office of the director of mental health. Rep. Alfred Welch for Public Health, Welfare and State Institutions. Ought to pass.

Ordered to third reading by vv.

HB 139, to change the name of the Laconia State School. Rep. Howard for Public Health, Welfare and State Institutions. Ought to pass.

Ordered to third reading by vv.

HB 46, to prohibit outboard motors on Big and Little Cherry Ponds in Whitefield. Rep. Claflin for Resources, Recreation and Development. Ought to pass with amendment.

### AMENDMENT

Amend the title of said bill by striking out the same and inserting in place thereof the following:

#### An Act

to prohibit motorboats on Big and Little Cherry Ponds in Jefferson.

Amend section 1 of said bill by striking out the word "Whitefield" where it occurs therein and inserting in place thereof the word (Jefferson) so that said section as amended shall read as follows:

1 Motorboats Prohibited. Amend RSA 486 by inserting after section 7 the following new section: 486:8 Big and Little Cherry Ponds in Jefferson. On and after the date of the passage of this act, no person shall use or operate any motorboat or other boat equipped with an outboard motor on the waters of the Big Cherry Pond or Little Cherry Pond in the town of Jefferson. Whoever violates the provisions of this section shall be fined not more than fifty dollars.

At the request of Rep. Stafford Rep. Claflin explained the bill.

(discussion ensued)

Amendment adopted and the bill was ordered to a third reading by vv.

HB 78, restricting boating on Little Lake Sunapee in New London. Rep. Claflin for Resources, Recreation and Development. Inexpedient to legislate.

Resolution adopted by vv.

### COMMITTEE OF CONFERENCE REPORT

Consideration of Committee of Conference report on Joint Rules.

The committee of conference to whom was referred the proposed amendments to the Joint Rules, having considered the same report the same with the following recommendations:

That the House recede from its position of the amendments which it adopted to the Joint Rules, and

That the Senate recede from its position of nonconcurrence in the adoption of the amendments proposed by the House, and

That the Senate and House each adopt the following amendments to the Joint Rules:

That the Joint Rules, as adopted by the 1967 session of the General Court, be amended by striking out Rule 12 and inserting in place thereof the following:

12. Each body shall take final action on all bills that originate therein not later than June 15th. The nonoriginating body shall take final action on all referred bills not later than June 25th, provided that if any bill is sent to a committee of conference further action may be taken subsequent to said date by the House and Senate.

That the Joint Rules as adopted by the 1967 General Court, be amended by inserting after Rule 20 the following rules:

21. The general appropriation bill for each fiscal year (the so-called budget bill) and the capital improvement bill shall be introduced in the form proposed by the Appropriations



Committee no later than May first, and the House shall take final action on said bills, and the bills shall be entered into the Senate not later than June first. The Senate shall take final action on said bills no later than June fifteenth, provided that if said bills are sent to a conference committee further action may be taken subsequent to said dates by the House and Senate.

22. Conference Committees on Budget Bills. The report of the conference committee on either the general appropriation bill or the capital improvements bill must be presented in written form to the members of the General Court before action is taken on the floor in either body on said report.

23. Neither house of the General Court shall adjourn from any regular session thereof, or be prorogued from any regular session thereof, prior to the sixth day (excepting Sundays and holidays) after the last bill or resolution, passed in any such regular session, has been presented to the governor.

That the Joint Rules, as adopted by the 1967 session of the General Court, be amended by adding after Rule 20 the following:

20-a. A Concurrent resolution proposing a constitutional amendment, as provided by Rule No. 20, shall be read into the Senate or House where it originates not later than the first day of March first following the assembly of any General Court. Hearings on such resolutions may be held jointly by the appropriate standing committees of the Senate and House provided that in the event the resolution is amended in the first body and the second body chooses to have a second hearing this too may be joint. The committee vote on the resolution shall be by each committee and not by the committees jointly and passage in final form shall be completed by both bodies not later than the last legislative day of April of the calendar year in which the resolution was introduced. After said date in April no further action may be taken by either house on the resolution provided that if in the opinion of the attorney general, or an advisory opinion from the supreme court states that, the form of the question in the resolution needs to be amended, the two bodies may amend the resolution in such particular only by affirmative vote of no less than three-fifths of the entire membership of each house taken on division or roll call vote. A motion to so amend shall be in order in either body, notwith-

standing any other rule to the contrary, at any time prior to the prorogation of the assembly of that General Court.

Harry Spanos  
Stewart Lamprey  
Conferees on the part of the Senate

Kimon S. Zachos  
Miles J. Cares  
Webster E. Bridges, Jr.  
Conferees on the part of the House

\* \* \*

At the request of Rep. Newell Rep. Zachos explained the amendments.

(discussion ensued)

Rep. Newell moved that the House non-concur, that the committee of conference on the Joint Rules be discharged and that a new committee be appointed and spoke in favor of the motion.

Rep. Zachos spoke against the motion.

(discussion ensued)

Rep. Bridges spoke against the motion.

Rep. Bednar moved that the motion to nonconcur be made a special order of business for 11:01 tomorrow and spoke in favor of the motion.

(discussion ensued)

Rep. Cares spoke against the motion.

(discussion ensued)

Rep. McMeekin spoke in favor of the motion.

Rep. Zachos spoke against the motion.

Motion adopted by vv.

The Chair called for Special Order of HB 150, relative to lights on a motor vehicle.

Rep. Michels offered the following amendment.

## AMENDMENT

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Parking Lights Restricted. Amend RSA 263 by inserting after section 10, as amended by this act, the following new section: 263:10-a Parking Lights. Any motor vehicle may be equipped with not more than two front parking lights which shall emit an amber or white light without glare, provided that no motor vehicle may display such lighted parking lights when lighted headlamps are required under section 10 while being operated on the public ways unless also displaying lighted headlamps as prescribed in section 10. This provision does not prohibit the use of parking lights on any motor vehicle while parking or standing.

\* \* \*

The Clerk read the amendment in full.

Rep. Michels explained the amendment.

(discussion ensued)

Rep. Morrill spoke in favor of the amendment.

(discussion ensued)

Rep. Morrill moved that HB 150 be recommitted to the Committee on Transportation.

Rep. A. George Manning spoke in favor of the motion.

Motion adopted by vv.

\* \* \*

The Clerk read the following names of Representatives not qualified.

Alphonse L. Bernier

Stanley J. Betley

Alf Halvorsen

Maurice Tarbell

George W. White Sr.

In addition to the list in the House Journal of January 1, 1969 the following legislators have been sworn in.

Barbara Battenfeld	Ernest C. Hopkins
Arthur J. Bouley	Philip Moran
Herman A. Campono	Sam J. Nahil
Allan P. Campbell	Esther R. Nighswander
Ernest D. Clark	Michael F. O'Connor
John C. Cone	Raymond B. Peabody
Carmine F. D'Amante	Karl P. Persson
Esther M. Davis	Laurence Radway
Lucien R. Dulac	Dorothy V. Randlett
Wm. J. Gardner	Edgar J. Roy
Vera Goodrich	Chris J. Tasoulas
J. Donald Hayes	Jean R. Wallin

#### SENATE MESSAGE

The Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled:

Joint Rule amendments.

#### FURTHER SENATE MESSAGE

The Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 3, requiring that copies of federal audits be filed with the legislative budget assistant.

#### INTRODUCTION OF A SENATE BILL

SB 3, requiring that copies of federal audits be filed with the legislative budget assistant, was read a first and second time and referred to the Committee on Appropriations.

#### FURTHER SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

HB 53, relative to powers of Hesser Business College to grant degrees.

HJR 23, in favor of Francis W. Tolman, et al.

HB 136, legalizing proceedings at the special meeting of the Hollis School District held in the town of Hollis on October 1, 1968.

Rep. Claflin moved that the order whereby HB 200 was referred to Statutory Revision be vacated and that the bill be referred to Resources, Recreation and Development and spoke in favor of the motion.

Rep. McMeekin spoke in favor of the motion.

Motion adopted by vv.

\* \* \*

On motion of Rep. Stafford the House adjourned from the early session and the Rules of the House were so far suspended as to read bills by title only and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

\* \* \*

### LATE SESSION THIRD READINGS

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 19, providing that certain holidays be observed on Mondays each year.

HB 101, authorizing Notre Dame College to confer associate degrees.

HB 146, requiring an institution of higher learning which has ceased to conduct courses to file its records with the coordinating board and to be re-evaluated by said board if instruction is resumed.

HB 48, relative to public works projects performed on force account basis.

HB 128, relative to the bureau of family care in the office of the director of mental health.

HB 139, to change the name of the Laconia State School.

HB 46, to prohibit motor boats on Big and Little Cherry Ponds in Jefferson.

\* \* \*

On motion of Rep. Dunham the House adjourned at 12:30 P.M.

*Thursday, January 23, 1969*

(Rep. Logan in the Chair)

The House met at 11:00 o'clock.

### JOINT CONVENTION

Prayer was offered by House Chaplain Rev. William L. Shafer of Chichester as follows:

Eternal Father, Thou who are both Creator and Sustainer of all life: Keep us this day in health of body and soundness of mind, in purity of heart and cheerfulness of spirit, in contentment with our lot and charity with our neighbor; furthering all endeavors of this Joint Convention in their search for truth and justice. In our labor strengthen us; in our difficulties direct us; in our troubles comfort us; in our absence from one another watch over us; and supply all our needs according to the riches of Thy grace in Christ Jesus our Lord. Amen.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Hunt led the Convention in the Pledge of Allegiance to the Flag.

### HOUSE

#### LEAVES OF ABSENCE

Reps. Bouchard, Nixon and DeCesare were granted leave of absence for the day on account of important business.

Rep. Tarbell was granted leave of absence for two weeks on account of illness.

Rep. Fernald was granted leave of absence for the day on account of illness.

Rep. Latour was granted indefinite leave of absence on account of illness.

(Rep. Bridges in the Chair)

### RESOLUTION

Rep. McMeekin offered the following resolution:



*Resolved*, that in accordance with the list in the possession of the clerk, House Bills numbered 233 through 241 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.

## INTRODUCTION OF BILLS

HB 233, relative to hospital licensing. (Mackintosh of Sullivan Dist. 2 — To Public Health, Welfare & Institutions.)

HB 234, to abolish the water commission in the town of Derry and transfer its functions to the selectmen. (Adams of Rockingham Dist. 5 — To Municipal & County Government.)

HB 235, requiring public hearings before increasing motor vehicle insurance rates. (Nixon of Hillsboro Dist. 5 — To Banks & Insurance.)

HB 236, relative to establishment of the state sanatorium as a geriatric facility and the transfer of tubercular patients. (Cochrane of Strafford Dist. 4 — To Public Health, Welfare & Institutions.)

HB 237, authorizing Pierce College for Women to grant certain degrees. (Goode of Hillsborough Dist. 26 — To Education.)

HB 238, relative to the duties of the secretary of the tax commission, establishing the office of executive secretary, and making an appropriation therefor. (Zachos of Hillsborough Dist. 27 — To Executive Departments & Administration.)

HB 239, relating to the appropriation for marine fisheries division of the fish and game department for the fiscal year ending June 30, 1969. (Greene of Rockingham Dist. 22 — To Appropriations.)

HB 240, to provide for absentee voting in primary elections. (Raiche of Hillsboro Dist. 34 — To Judiciary.)

HB 241, relative to the Eastern New Hampshire Turnpike. (Hamel of Rockingham Dist. 17, Leavitt of Rockingham Dist. 21, Greene of Rockingham Dist. 22, Dame of Rockingham

Dist. 26, and Casassa of Rockingham Dist. 20 — To Public Works.)

### COMMITTEE REPORTS

HB 181, authorizing the expenditure of funds for area and cooperative schools. Rep. Greene for Education. Ought to pass.

At the request of Rep. Trowbridge Rep. Greene explained the bill.

The Chair referred HB 181 to Appropriations under the Rules.

Rep. Ferguson moved that the Rules of the House be so far suspended as to dispense with reference to committee and that the bill be put on third reading and final passage at the present time.

Motion adopted by vv.

### THIRD READING

HB 181 was read a third time, passed, and sent to the Senate for concurrence.

\* \* \*

HB 107, relative to removal of the director of the fish and game department. Rep. Scamman for Executive Departments and Administration. Ought to pass.

At the request of Rep. Maynard Rep. Shirley Clark explained the bill.

(discussion ensued)

Rep. McMeekin further explained the bill.

Ordered to third reading by vv.

HB 27, relative to the voluntary commitment of a person to New Hampshire hospital. Rep. Frizzell for Judiciary. Ought to pass with amendment.

### AMENDMENT

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 New Hampshire Hospital. Amend RSA 135:22 as amended by 1961, 222:1 and 1963, 39:2 by striking out the third sentence and inserting in place thereof the following: (Charges for the support of such patient at the hospital shall be governed by recommendations of the division of investigation of accounts of the department of administration and control) so that said section as amended shall read as follows: 135:22 Voluntary Commitment; Penalty. Pursuant to rules and regulations established by the superintendent of the New Hampshire Hospital, the hospital may receive and detain therein as a patient any person suitable for care and treatment, who voluntarily makes written application therefor on a form prescribed by the superintendent, or if such person be under twenty-one years of age such written application shall be made by the parent or legal guardian or person standing in loco parentis of such person. In the discretion of the superintendent of the New Hampshire Hospital such patient may be detained for the purpose of care and treatment until fifteen days after receipt of notice in writing, stating such intention or desire of the parent or legal guardian or person standing in loco parentis of such patient; provided, however, that such notice in writing shall in no event effect a release of such patient until sixty days from his admission to the hospital. Charges for the support of such patient at the hospital shall be governed by recommendations of the division of investigation of accounts of the department of administration and control. Any person violating the provisions of this or the preceding sections shall be fined not more than one hundred dollars.

Further amend said bill by inserting after section 1 the following new section:

2 Other Admissions. Amend RSA 135 by inserting after section 22 the following new section: 135:22-a Informal Admission. The New Hampshire Hospital may receive and temporarily detain therein as a patient any person suitable for care and treatment without any commitment procedure. Such person may be admitted without formal or written application in the same manner as admission to a general hospital, upon the approval of the admitting physician. Any person admitted under this section shall be free to leave the hospital at any reasonable time, but in no case shall be detained longer than twelve hours after indicating his desire to leave. Charges for the support of

such patient at the hospital shall be governed by recommendation of the division of investigation of accounts of the department of administration and control.

Further amend said bill by renumbering section 2 to read section 3.

\* \* \*

Amendment adopted and the bill was ordered to a third reading by vv.

HB 56, relative to probate supplies. Rep. Zachos for Judiciary. Ought to pass with amendment.

### AMENDMENT

Amend section 1 of said bill by inserting in line three after the word "provide" the words ( , at the request of the judge of probate,) so that said section as amended shall read as follows:

1 Probate Supplies. Amend RSA 548:8 by striking out said section and inserting in place thereof the following: 548:8 Stationery and Supplies. He shall provide, at the request of the judge of probate, all blanks, books, stationery, equipment, furnishings, and other items for doing the business of the probate court, and the costs thereof shall be paid to him from the county treasurer on the order of the judge of probate.

\* \* \*

Amendment adopted and the bill was ordered to a third reading by vv.

HB 58, relative to temporary leave for patients of the New Hampshire Hospital and requiring sheriffs to assist in returning them thereto. Rep. Sayer for Judiciary. Ought to pass with amendment.

### AMENDMENT

Amend the title of said bill by striking out the word "sheriffs" and inserting in place thereof the words (the commissioner of safety) so that said bill as amended shall read as follows:

#### An Act

relative to temporary leave for patients of the New Hampshire  
Hospital and requiring the commissioner of safety  
to assist in returning them thereto.

Amend section 1 of said bill by striking out in lines eleven and twelve the words "sheriff having jurisdiction wherever said patient is presently residing or is housed. Said sheriff" and inserting in place thereof the words (commissioner of safety who) so that said section as amended shall read as follows:

1 Police Assistance. Amend RSA 135:31 as amended by 1961, 38:3 and 1961, 222:1 by striking out said section and inserting in place thereof the following: 135:31 Temporary Absences. The superintendent of the hospital may permit any inmate thereof temporarily to leave said institution in charge of his guardian, relatives, friends, or himself, for a period not exceeding one year, and may receive him when returned within said period, or may take him into custody, without any further order of commitment. If the superintendent is requested to furnish assistance in having the patient returned to the hospital within said period, and if in his opinion such assistance is indicated, he is authorized to request such assistance from the commissioner of safety who shall immediately take whatever action is necessary in effecting the prompt delivery of the patient to New Hampshire Hospital.

\* \* \*

Amendment adopted and the bill was ordered to a third reading by vv.

HB 75, relative to driving while intoxicated. Rep. Zachos for Judiciary. Inexpedient to legislate.

Resolution adopted by vv.

HB 60, prohibiting a person from holding at one time the offices of representative and county commissioner. Rep. Hanson for Municipal and County Government. Ought to pass with amendment.

#### AMENDMENT

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2 Effective Date. This act shall take effect January 1, 1971.

\* \* \*

Rep. McMeekin moved that further consideration of HB 60 be indefinitely postponed and spoke in favor of the motion.

Rep. James Allen spoke against the motion.

Rep. Stafford spoke in favor of the motion.

(discussion ensued)

Reps. Drabinowicz, Shirley Clark and Hanson spoke against the motion.

(discussion ensued)

Reps. Sears and Brungot spoke in favor of the motion.

Rep. Trowbridge moved that HB 60 be recommitted to the committee on Municipal and County Government and spoke in favor of the motion.

Rep. Stevenson spoke in favor of the motion.

The Chair stated that the motion to recommit takes a higher precedent over the motion to indefinitely postpone.

On a vv the motion to recommit HB 60 was adopted.

HB 49, relative to restrictions on acquisition of lands by the state for fish and game propagation and other fish and game purposes. Rep. Splaine for Statutory Revision. Ought to pass.

At the request of Rep. deBlois Rep. Splaine explained the bill.

(discussion ensued)

Rep. McMeekin further explained the bill.

The Chair referred HB 49 to Appropriations under the Rules.

HB 89, authorizing the correction of certain technical errors prior to printing the statutes. Rep. Splaine for Statutory Revision. Ought to pass.

At the request of Rep. Newell Rep. Splaine explained the bill.

(discussion ensued)

Rep. Newell spoke against the bill.

Rep. McMeekin explained the bill.

(discussion ensued)



Rep. Newell moved that HB 89 be laid on the table and made a special order of business for one minute after the hour of meeting Wednesday next.

Motion lost by vv.

Ordered to third reading by vv.

HB 90, correcting certain errors in the housing standards law. Rep. Splaine for Statutory Revision. Ought to pass.

Ordered to third reading by vv.

HB 94, relative to preparation of bills for submission to the governor. Rep. Splaine for Statutory Revision. Ought to pass.

At the request of Rep. Newell Rep. Splaine explained the bill.

(discussion ensued)

At the request of Rep. Splaine Rep. McMeekin further explained the bill.

(discussion ensued)

Ordered to third reading by vv.

HB 115, legalizing certain votes at the 1968 town meeting in Madison. Rep. Splaine for Statutory Revision. Ought to pass.

Ordered to third reading by vv.

HB 164, relative to the size of pages of the volumes of the session laws. Rep. Coggeshall for Statutory Revision. Ought to pass.

Ordered to third reading by vv.

HB 22, allowing local officials to reduce speed limits. Rep. Mattice for Transportation. Inexpedient to legislate.

Resolution adopted by vv.

HB 25, to establish maximum and minimum speeds. Rep. Mattice for Transportation. Inexpedient to legislate.

Resolution adopted by vv.

HB 145, relative to the establishment of a maximum speed limit on all highways. Rep. Parnagian for Transportation. Ought to pass.

At the request of Rep. Kopperl Rep. Morrill explained the bill.

(discussion ensued)

Ordered to third reading by vv.

HB 148, relative to setting an absolute speed limit on certain state highways. Rep. Mattice for Transportation. Inexpedient to legislate.

Resolution adopted by vv.

\* \* \*

The Chair called for Special Order of Committee of Conference Report on Joint Rules.

The question being on the motion to nonconcur in the committee of conference report, and that a new committee be appointed.

Rep. O'Neil spoke against the motion.

(discussion ensued)

Rep. Bednar moved that the remarks made by Rep. O'Neil be printed in the Journal.

Motion adopted by vv.

Rep. O'Neil advised the House membership that he had spoken with the President of the Senate and had been assured that amendments to Joint Rules 20 and 23, as passed by the House, would be acted upon by the Senate at an early date and reported to the House.

Rep. McMeekin spoke in favor of the motion to nonconcur.

### PARLIAMENTARY INQUIRY

Rep. McMeekin rose on a point of parliamentary inquiry.

The Chair ruled if the House nonconcurred in a committee of conference report that the present committee would be discharged and a new committee would be appointed.

Rep. Zachos spoke against the motion.

Rep. O'Neil spoke a second time against the motion.

(discussion ensued)

In answer to Rep. Healy's question.

The Chair read the following as his interpretation of Article 44 of the New Hampshire Constitution.

Subject: Veto To Bills

The question being the interpretation of the Constitution when the Governor vetos a bill. Does the vote by the house to override the veto require two-thirds of the members present and voting or two-thirds of the elected membership.

The situation occurred three times in the 1965 session, once each in the 1963, 1959, and 1955 sessions.

1965 Session — Question being: Should House override the veto?

House Bill No. 330 — Yea 206      No 155

House Bill No. 399 — Yea 174      No 189

House Bill No. 242 — Yea    3      No 329

1965 Session — Question being: Should House override the veto?

House Bill No. 33 — Yea 187      No 185

None of the above are conclusive in answering the question at hand — to wit — whether you need two-thirds of members present and voting or two-thirds of members elected to override because none of the votes taken obtained two-thirds in either application.

In the 1959 session, House Bill No. 395 on September 17, 1959, House Journal, page 1357 — question: Shall House override the Governor's veto? Yes — 243 — No — 65. The veto was voted down. The bill was passed and sent to the Senate.

Based on the vote where 243 in the affirmative is less than two-thirds (267) of the elected membership yet in excess of two-thirds of the members present and voting, it does appear that precedent in the past has established that in interpretation of Article 44 of the New Hampshire Constitution to override a veto of the Governor it is necessary only to have two-thirds of the members present and voting. — Providing of course a quorum is present as further prescribed in the constitution.

## PARLIAMENTARY INQUIRY

Rep. Angus rose on a point of parliamentary inquiry.

The Chair ruled that 40 people present and voting in the affirmative would pass the bill if the vote was not challenged.

Rep. Trowbridge moved the previous question and it was sufficiently seconded.

Motion adopted by vv.

The motion before the House is to nonconcur in the committee of conference report and that the present committee be discharged and a new committee be appointed.

Motion was adopted by vv and the committee of conference was discharged. The Chair appointed the following as conferees on the part of the House: Reps. Zachos, McMeekin and Wallin.

\* \* \*

Rep. Hoar offered the following resolution.

## RESOLUTION

*Whereas*, for many years New Hampshire has neglected the possibility of bringing back the vast resources of sea-run fish and other fisheries to its streams and

*Whereas*, formerly our streams tributary to tidewater as well as Great Bay were in spring filled with herring, salmon, sea-trout, shad and striped bass, now no longer there seen on account of pollution and obstructions, and we have suffered financial loss thereby; and

*Whereas*, the Committee on Fish and Game and guests seek approval to visit Fish and Game and other related installations in New Hampshire, and

*Whereas*, such a visit may be of great economic and educational value to our state and interested committees; now therefore, be it

*Resolved*, that the members of the House Committee on Fish and Game and guests are authorized to visit the Fish and Game and other related installations in New Hampshire and to make suitable arrangements to visit and study their oper-

ating installations at a time to be selected on or about April 30, 1969, and be it further

*Resolved*, that the House Committee on Fish and Game be authorized to expend a sum not to exceed two hundred twenty-five dollars for necessary travel and expenses incurred in connection therewith and said expenses shall be a charge upon the legislative appropriation.

\* \* \*

Resolutions adopted and the Chair referred them to Appropriations.

\* \* \*

Rep. Vachon offered the following resolution and moved its adoption.

#### RESOLUTION

*Resolved* that all committees will display a set of 4½ x 5" flags, one national and one state, at all public hearings.

*Be it further resolved* that the clerk of committee shall be responsible for obtaining said flags from DRED upon his or her signature and displaying of the flags at public hearings.

*Be it further resolved* if there is any cost for the acquisition of such flags that it be charged to legislative budget.

\* \* \*

Referred to Appropriations.

Rep. Vachon moved that the Rules of the House be so far suspended as to dispense with referral to committee and that the resolutions be acted upon at the present time.

Rep. Cares spoke in favor of the motion.

Motion adopted by vv.

At the request of Rep. Drake the resolution was read a second time.

Resolution adopted by vv.

## SENATE MESSAGE

The Senate has voted to adopt the recommendation of the Committee of Conference to whom were referred the Joint Rules.

SENATE MESSAGE AND  
INTRODUCTION OF SENATE BILLS

Senate bills with the following numbers and titles, having passed the Senate and in the passage of which it asks the concurrence of the House of Representatives, were read a first and second time and referred as follows:

SB 6, repealing inspections of milk and cream; the licensing of dealers, and the establishment of certain measures of milk. — To Agriculture.

SB 19, to eliminate certain duties of the Commissioner of Agriculture. — To Agriculture.

SB 32, to require biennial reports by the Commissioner of Agriculture to the Governor and Council. — To Agriculture.

SB 48, directing the comptroller to prepare the biennial budget for the supreme court. — To Appropriations.

## ENGROSSED BILLS

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bills, Senate Bills and House Joint Resolution:

HB 136, An Act legalizing proceedings at the special meeting of the Hollis School District held in the town of Hollis on October 1, 1968.

SB 20, An Act changing the effective date of an act relative to the election of members of the board of the Concord union school district.

HB 53, An Act relative to powers of Hesser Business College to grant degrees.

HJR 23, Joint Resolution in favor of Francis W. Tolman, et al.

Roxie Forbes  
For the Committee



Rep. Stafford moved that the House now adjourn from the early session and that the Rules of the House be so far suspended as to permit the reading of bills by title only.

Motion adopted by vv.

### LATE SESSION

Rep. Stafford moved that when the House adjourns today it adjourns to meet Tuesday next at 1:00 o'clock, and spoke in favor of the motion.

### PARLIAMENTARY INQUIRY

Rep. McMeekin rose on a point of parliamentary inquiry.

The Chair ruled that a motion to adjourn to a time certain is debatable.

The question being that when the House adjourns today it be to meet next Tuesday at 1:00 o'clock.

Rep. Logan spoke in favor of the motion.

Reps. D'Amante and Healy spoke against the motion.

(discussion ensued)

Rep. O'Neil spoke in favor of the motion.

Rep. Angus spoke against the motion.

Rep. Bednar offered the following amendment.

### AMENDMENT

Amend said motion by striking out 1:00 o'clock and inserting in place thereof 11:00 o'clock so that said motion as amended shall read as follows:

Rep. Stafford moved that when the House adjourns today it adjourns to meet Tuesday next at 11:00 o'clock.

\* \* \*

Rep. Brungot requested a division on the motion.

Rep. Bednar withdrew his amendment.

Rep. Stafford withdrew his motion.

Rep. Stafford moved that the House adjourn to whichever time they wished to meet 10:00, 11:00 or 1:00 o'clock on Tuesday next on a division vote.

Reps. Angus and A. George Manning spoke against the motion.

### PARLIAMENTARY INQUIRY

Rep. Healy rose on a point of parliamentary inquiry.

The Chair ruled that on a division vote whichever time received the majority that would be the time the House would meet next Tuesday.

Reps. Healy and Levesque spoke against the motion.

Rep. Stafford withdrew his motion.

Rep. Logan moved that when the House adjourns today it be to meet at 11:00 o'clock next Tuesday and spoke in favor of the motion.

Rep. D'Amante moved the previous question and it was sufficiently seconded.

The motion adopted by vv.

Rep. Logan's motion adopted by vv.

\* \* \*

### THIRD READINGS

The following bills were read a third time, passed, and sent to the Senate for concurrence.

HB 107, relative to removal of the director of the fish and game department.

HB 27, relative to the voluntary commitment of a person to New Hampshire Hospital.

HB 56, relative to probate supplies.

HB 58, relative to temporary leave for patients of the New Hampshire Hospital and requiring the commissioner of safety to assist in returning them thereto.

HB 89, authorizing the correction of certain technical errors prior to printing the statutes.

Rep. Sheldon Barker requested a quorum count.

188 members having answered the Chair declared a short recess, a quorum not being present.

## RECESS

The Chair announced that today is the 70th birthday of Rep. Roger Hunt.

## AFTER RECESS

219 members having answered the second quorum count the Chair declared a quorum present.

## SENATE MESSAGE

The Senate has voted to accede to the request of the House of Representatives for a new Committee of Conference on the Joint Rules and the President has appointed as members of said Committee on the part of the Senate: Senators Lamprey and Spanos.

## THIRD READINGS CONTINUED

HB 90, correcting certain errors in the housing standards law.

HB 94, relative to preparation of bills for submission to the governor.

HB 115, legalizing certain votes at the 1968 town meeting in Madison.

HB 164, relative to the size of pages of the volumes of the session laws.

HB 145, relative to the establishment of a maximum speed limit on all highways.

\* \* \*

On motion of Rep. Hayes the House adjourned at 2:34 P.M. on the anniversary of the seizure of the U.S.S. Pueblo in memory of the crew member, who gave his life, and that our sincere wishes for the speedy recovery from the results of the physical and mental ordeal of the remainder of the crew while in captivity goes forth from this House to them and their families.

*Tuesday, January 28, 1969*

The House met at 11:00 o'clock.

#### HOUSE

Prayer was offered by House Chaplain Rev. William L. Shafer of Chichester as follows:

O Spirit of the Living God, enable us to shut the doors of our soul against all that would make it difficult for Thee to speak to us. And in the secret places of our hearts may we find refuge and strength in Thy loving ministry. Give to us Thy wise counsel and instruction and guidance upon which we depend and find nourishment. Enlarge the capacities of our mind, our body, and our spirit to meet the challenges of this new day. Make our consciences more tender, our minds more thoughtful, our hearts more loving, our wills more obedient, and our lives more responsive as we work together as Members of this Joint Convention. Let the beauty of this day, which Thou has provided, be matched by our honor and service to Thee and our fellow citizens. Amen.

#### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Hickey led the House in the Pledge of Allegiance to the Flag.

#### LEAVES OF ABSENCE

Rep. Lawton was granted leave of absence for the day on account of illness.

Rep. Shirley was granted leave of absence for the day on account of illness in the family.

Rep. Marsh was granted leave of absence for the week on account of illness in the family.

Reps. Kenneth Spalding, DeCesare and Tasoulas were granted leave of absence for the day on account of important business.

Reps. Stimmell, Bouchard and Soucy were granted leave of absence for the week on account of important business.

## RESIGNATION

The Chair announced the resignation of John W. Wright, Jr. of Merrimack has been accepted.

## COMMUNICATION

January 28, 1969

Mr. J. Milton Street, Acting Clerk  
House of Representatives  
State House, Concord, New Hampshire

Dear Mr. Street:

This letter is to confirm that I have sworn in Herbert G. Goedecke as a member of the New Hampshire House of Representatives.

Sincerely yours,

Walter Peterson, *Governor*

The Speaker announced that on Tuesday, February 4, nominations for acting assistant clerk would be received.

## RECONSIDERATION

Rep. Williamson, having voted with the majority, moved that the House reconsider its action whereby it passed HB 145, relative to the establishment of a maximum speed limit on all highways, and subsequently withdrew his motion.

## RECONSIDERATION

Rep. Newell served notice that today or some subsequent day he would ask for reconsideration of HB 94, relative to preparation of bills for submission to the governor.

## INTRODUCTION OF BILLS

The following bills and House Joint Resolutions were read a first and second time and referred as follows:

HB 242, to eliminate straight ticket voting. (Andrews of Merrimack Dist. 1 — To Judiciary.)

HB 243, relative to protection of confidential medical information obtained for research purposes by the department of health and welfare. (Thompson of Strafford Dist. 11, & Gelt of Rockingham Dist. 7 — To Public Health, Welfare & Institutions.)

HJR 26, in favor of Thomas Binmore. (Greene of Rockingham Dist. 22 — To Claims, Military & Veterans Affairs.)

HJR 27, to establish a temporary commission of the legislature to investigate teacher's salaries, unrest, militance and pressures. (Smith of Strafford Dist. 14 — To Education.)

### COMMITTEE REPORTS

HB 120, relating to long service state employees. Rep. MacDonald for Executive Departments and Administration. Ought to pass.

The Chair referred HB 120 to committee on Appropriations under the Rules.

HB 57, relating to judicial referees. Rep. Palmer for Judiciary. Ought to pass.

Ordered to third reading by vv.

HB 96, authorizing presiding officers at additional polling places to administer certain oaths. Rep. Stuart Allan for Municipal and County Government. Ought to pass with amendment.

### AMENDMENT

Amend said bill by striking out the title and inserting in place thereof the following:

### AN ACT

providing for the appointment of certain officers at additional polling places and authorizing the administration of certain oaths.

Further amend said bill by striking out section 1 and inserting in place thereof the following:

1 Appointment of Assistant Moderator and Assistant Clerk. Amend RSA 59:48 by striking out said section and inserting in place thereof the following: 59:48 Officers. The moderator shall



appoint an assistant moderator and the town clerk shall appoint an assistant clerk, who shall be residents of the voting district, for each additional polling place and said assistant moderator shall have the power to administer the oath of office to all election officials at the additional polling place. The selectmen shall appoint for each additional polling place four inspectors of election, who shall be residents of the voting district, and who shall be qualified in the same manner as such officers are for the central polling place. The duties of such officers shall be the same as the duties of like officers at the central polling place except as herein otherwise provided. The officers so appointed shall be sworn in by the assistant moderator before entering upon their duties.

\* \* \*

At the request of Rep. Hackler the Clerk read the amendment in full.

Amendment adopted and the bill was ordered to a third reading by vv.

HB 64 was withdrawn by committee, Resources, Recreation and Development.

HB 106, relative to construction of sewage disposal systems near shorelines. Rep. Clafin for Resources, Recreation and Development. Ought to pass.

(discussion ensued)

Rep. Stafford moved that HB 106 be recommitted to Resources, Recreation & Development and spoke in favor of the motion.

Reps. Trowbridge and Clafin spoke in favor of the motion.

(discussion ensued)

Motion adopted by vv.

HB 133, prohibiting motorboats on Willard pond in Antrim. Rep. Clafin for Resources, Recreation & Development. Ought to pass with amendment.

## AMENDMENT

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Willard Pond. Amend RSA 486 by inserting after section 7 the following new section: 486:8 Willard Pond. On or after the date of the passage of this act, no person shall use or operate any motorboat or other boat equipped with a motor of greater than six horsepower, or at greater than trolling speed, upon the waters of Willard Pond in the town of Antrim. Whoever violates any of the provisions of this section shall be fined not more than fifty dollars.

2 Effective Date. This act shall take effect upon its passage.

\* \* \*

Amendment adopted and the bill was ordered to a third reading by vv.

### COMMUNICATION

Jan. 21, 1969

Hon. Marshall Cobleigh, Speaker  
N. H. House of Representatives  
State House  
Concord, N. H.

Dear Marshall:

May I express to you, and through you to the Members of the House and to the Staff, my gratitude for the Resolution of sympathy which you have adopted and sent to me and also for the many cards, letters, phone calls and personal visits I have received from you all since I have been here.

Many of you have been kind enough to tell me that I was missed; believe me, the feeling is mutual. I begrudge every minute of every day of the session of 1969 that I am missing, and am eagerly looking forward to being back with you all again before too long.

Sincerely yours,

Francis W. Tolman, Clerk  
N. H. House of Representatives

Elliott Community Hospital  
Room 208  
Keene, N. H.

## RESOLUTION

The Lebanon Delegation offered the following resolution.

## RESOLUTION

*Whereas*, we are sorry to learn of the illness of Ruth Cotton, wife of our Senior United States Senator from New Hampshire, therefore be it

*Resolved*, that we, the members of the House of Representatives in General Court convened, extend our sympathy to Mrs. Cotton in her illness and our best wishes for a speedy recovery, and be it further

*Resolved*, that a copy of these resolutions be transmitted to Mrs. Cotton.

\* \* \*

Resolutions adopted by vv.

## RESOLUTION

Rep. Mackintosh offered the following resolution.

*Whereas*, the development in recent years of an atmosphere of disrespect for law and duly constituted authority is of increasing state and national concern, and

*Whereas*, crimes and offenses against persons and property have been increasing at an alarming rate, and

*Whereas*, there have been included in such offenses serious criminal acts of vandalism, riot, arson, larceny, kidnapping, and murder as well as mass assembly for unlawful purposes, and

*Whereas*, in the opinion of many persons, including a great body of expert authority, a major contributory cause of this sorry state of affairs has been permissiveness both in judiciary decisions and sentencing as well as prosecution and enforcement, therefore, be it

*Resolved*, by the House of Representatives of the State of New Hampshire that it is the sense of the House that

1. Prosecuting officials should prosecute all who break the law without compromise and with insistence upon appropriate penalties for deliberate violation of the law, including appropriate confinement in prison or jail.

2. The Judiciary is respectfully urged in passing sentence to avoid suspended sentencing and to assess real penalties including confinement to the end that the prospect of the consequences of such violations will be the substantial deterrent that it should be.

3. That the Governor and Council in nominating and appointing members of the Judiciary possessing criminal jurisdiction are urged to elevate to the bench men or women who will be firm as well as just in the cause of equal justice under law to the end that society as well as its offending members will be adequately protected.

4. That the Governor and Council in the appointment of persons as trustees of the State University system are urged to appoint only persons who as a part of their qualifications are pledged to a policy of firm insistence on the prompt expulsion from the student body, faculty, or administration of all individuals knowingly and clearly guilty of rioting or otherwise attempting by force to seriously disrupt the University system or any of its divisions in the future, and be it further

*Resolved*, that copies of this resolution shall be forwarded to the State Attorney General, to each County Attorney, to each member of the State Judiciary, to the Governor and Council, and to each University trustee.

\* \* \*

The Chair referred the Resolution to the Constitutional Revision Committee.

#### SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

HB 181, authorizing the expenditure of funds for area and cooperative schools.

## REPORT OF COMMITTEE ON ENGROSSED BILLS

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House bill.

HB 181, AN ACT authorizing the expenditure of funds for area and cooperative schools.

Roxie Forbes  
For the Committee

The name of Ida Pearl of Webster has been added to the Legislative Employees as Secretary to Mr. Harlan Logan, Majority Floor Leader, at a salary of \$20.00.

On motion of Rep. Stafford the House adjourned from the early session and the Rules were so far suspended as to permit the reading of bills by title only, and that when the House adjourned today it would be to meet tomorrow at 11:00 o'clock.

\* \* \*

The Chair announced that a poll would be taken of the members regarding the time the House should meet beginning next Tuesday. All ballots to be returned to the Clerk's desk before 5:00 p.m. Wednesday, Jan. 29.

\* \* \*

LATE SESSION  
THIRD READING OF BILLS

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 57, relating to judicial referees.

HB 96, Providing for the appointment of certain officers at additional polling places and authorizing the administration of certain oaths.

HB 133, prohibiting motorboats on Willard Pond in Antrim.

\* \* \*

On motion of Rep. Rich the House adjourned at 11:54 a.m.

*Wednesday, January 29, 1969*

The House met at 11:00 o'clock.

#### HOUSE

Prayer was offered by House Chaplain Rev. William L. Shafer of Chichester as follows:

Almighty God — Thy greatness is our confidence, Thy righteousness is our assurance, Thy grace is our sustenance, Thy purposes are our hope, Thy will is our peace. So steadfast is Thy truth and unfaltering is Thy love — unto Thy strength we bring our weakness, unto Thy greatness we bring our littleness, unto Thy peace we bring our restlessness, unto Thy forgiveness we bring our transgressions, unto Thy comfort we bring our sorrow, unto Thy sympathy we bring our joy. Perfect, we beseech Thee, the good work which Thou hast begun in us; that we, having received these precious gifts, may honor Thee in our work today. Amen.

#### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Drew led the House in the Pledge of Allegiance to the Flag.

#### LEAVES OF ABSENCE

Reps. Chamard and Lawton were granted leave of absence for the day on account of illness.

Rep. Healy was granted leave of absence for today and Thursday on account of illness.

Rep. Tasoulas was granted leave of absence for the day on account of important business.

#### RESOLUTION

Rep. McMeekin offered the following resolution:

*Resolved* that, in accordance with the list in the possession of the clerk, House Bills numbered 244 through 254 and House Joint Resolutions numbered 28 through 31 shall be by this resolution read a first and second time by the therein listed



titles, laid on the table for printing and referred to the therein designated committees.

Resolution adopted by vv.

## INTRODUCTION OF BILLS

HB 244, to empower the Rockingham County Convention to set the salaries of certain county officers. (Morrill of Rockingham Dist. 7 — To Rockingham Delegation.)

HB 245, relative to the perambulation of the New Hampshire-Maine boundary line and the New Hampshire-Massachusetts boundary line and making an appropriation therefor. (Cummings of Rockingham Dist. 11 — To Appropriations.)

HB 246, to discontinue terms of superior court at Nashua. (Zachos of Hillsborough Dist. 27 — To Nashua Delegation.)

HB 247, providing special fish and game licenses for resident governors and their wives. (Avery of Merrimack Dist. 11 — To Fish & Game.)

HB 248, relative to qualification of a person to be appointed as a bank official. (Reddy of Merrimack Dist. 5 — To Banks & Insurance.)

HB 249, relative to small loans. (Reddy of Merrimack Dist. 5 — To Banks & Insurance.)

HB 250, requiring that perambulations of town lines be filed with the secretary of state. (Hanson of Merrimack Dist. 6 — To Municipal & County Government.)

HB 251, to increase maximum penalty for violating town by-laws. (Aucella of Hillsborough Dist. 1 — To Municipal & County Government.)

HB 252, to establish a police standards and training council and to provide educational and training requirements for members of police forces, and making an appropriation therefor. (Stafford of Belknap Dist. 12 — To Appropriations.)

HB 253, relative to the expenditure of funds in urban renewal programs. (Merrill of Grafton Dist. 13 — To Municipal & County Government.)

HB 254, requiring users of snow traveling vehicles to wear protective headgear. (Cate of Merrimack Dist. 20 — To Transportation.)

HJR 28, making appropriation for continued archeological research at Fort Constitution in New Castle. (Lockhart of Rockingham Dist. 22 — To Appropriations.)

HJR 29, in favor of the New Hampshire Veterans Association. (Welch of Merrimack Dist. 27, Tarr of Merrimack Dist. 28, Varrill of Rockingham Dist. 16, & Duhaime of Grafton Dist. 12 — To Claims, Military & Veterans Affairs.)

HJR 30, providing additional funds for the state treasurer's office. (Hanson of Merrimack, Dist. 6 — To Appropriations.)

HJR 31, to establish an interim committee to study the pricing and sale of hearing aids. (Richardson of Coos Dist. 3 — To Public Health, Welfare, & Institutions.)

### COMMITTEE REPORTS

HB 1, to provide for a citizens' task force to study the effectiveness of state government. Rep. Drake for Appropriations. Ought to pass with amendment.

\* \* \*

### AMENDMENT

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Organization Established. There is hereby established a Citizens Task Force to Study the Effectiveness of State Government, hereinafter referred to as citizens task force. The purpose of said citizens task force is to:

(1) Further thrift and cost avoidance in the operations of government;

(2) Assure the best use of current revenue and manpower;

(3) Provide for the adoption of long-range programming, planning, and department budgeting;

(4) Anticipate the presently foreseeable needs by its citizens in keeping abreast with technological and cultural advancements;

(5) Eliminate or reduce any governmental services and activities, the costs of which cannot be justified;

(6) Achieve efficient and effective systems of education, welfare, health services, safety services, conservation of natural and human resources, communication and transportation;

(7) Assist, wherever possible, so that New Hampshire's economy operate at highest attainable peaks;

(8) Encourage inward migration of industry and skilled labor while creating new and attractive opportunities for our existing workforce; and

(9) Apply modern business techniques to the complex enterprise of state government.

2 Membership. The governor is authorized to appoint a chairman of the citizens task force and as many additional members as he shall deem necessary and proper in order to carry out the duties of the citizens task force as set forth in this act. The governor is further authorized to appoint an executive committee of the citizens task force of not more than fifteen members who shall have the authority to act on behalf of the citizens task force. The governor shall convene the first meeting of the citizens task force.

3 Staff. The governor shall appoint an executive director of the citizens task force and such other staff assistants as he shall deem necessary and proper. The governor shall set the compensation for all such staff members with the approval of the executive council and such staff members shall be allowed their necessary expenses while engaged in official business. In carrying out the provisions of this section the governor may temporarily assign to the citizens task force classified or unclassified state employees having skills or specialized knowledge which would be of use to said task force.

4 Technical Assistance. The governor, in consultation with the members of the executive committee of the citizens task force, is authorized to obtain the services of such technical assistants and consultants, at reasonable compensation, as he shall deem necessary and proper in order to conduct a thorough study of the effectiveness of state government.

5 Duties. The citizens task force shall perform the following duties:

(1) Make an overall study of the performance of government at all levels, including efficiency, effectiveness and cost avoidance of existing departments and agencies with particular emphasis on the use of manpower;

(2) Study the entire range of the need for governmental service in the state and to determine what changes have occurred or may occur in such needs for governmental service.

(3) Recommend any changes in the structure and organization of existing departments or agencies of state government; recommend the establishment of new departments and agencies if such be deemed advisable; and recommend ways and means that such existing or new departments or agencies may more effectively carry out their duties;

(4) Make any further studies and recommendations required to carry out the purposes stated in this act.

6 Rules. The citizens task force may adopt rules of procedures for its meetings and hearings as it shall deem necessary and proper.

7 Compensation of Members. The members of the citizens task force shall serve without compensation, but shall be allowed their necessary expenses while engaged in official business.

8 Reports. The citizens task force shall make a report to the governor of its findings and recommendations not later than Nov. 1, 1969, and may make further reports if deemed advisable. All such reports shall be public documents and copies shall be filed with the secretary of state and with the law librarian of the state library.

9 Gifts and Grants. The governor is hereby authorized to apply for and receive for expenditure for the purposes of this act federal or private gifts or grants as the same may become available and such private funds when received shall be deemed a contribution to the state for a public purpose within the meaning of any federal or state laws relative to tax exemptions. The funds received under the provisions of this section shall be a continuing fund for the purpose hereof and shall not lapse.

10 Appropriation. The sum of \$100,000. is hereby appropriated for the purposes of this act for the fiscal year ending June 30, 1969, and the sum of \$90,000. is hereby appropriated for said purposes for the fiscal year ending June 30, 1970. Any balance as of June 30, 1969, in the sum appropriated for the fiscal year ending June 30, 1969, shall be available for the following fiscal year but all the state sums hereby appropriated shall lapse as of June 30, 1970. The governor is authorized to draw his warrants for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

11 Effective Date. This act shall take effect upon its passage.

\* \* \*

Rep. Eaton moved the adoption of the committee amendment and spoke in favor of the motion.

Rep. Drake spoke in favor of the motion.

(discussion ensued)

Rep. Raiche moved that HB 1 be indefinitely postponed and spoke in favor of the motion.

(discussion ensued)

Rep. Roger Smith spoke against the motion.

(discussion ensued)

Rep. Cares spoke in favor of the motion.

(discussion ensued)

Rep. Coutermarsh spoke against the motion.

(discussion ensued)

Reps. deBlois and Coburn spoke in favor of the motion.

Rep. Bednar spoke against the motion.

Rep. Logan spoke against the motion.

(discussion ensued)

Rep. Cournoyer spoke in favor of the motion.

Rep. Milburn Roberts spoke against the motion.

Rep. Angus spoke against the motion.

Rep. Frizzell requested a roll call, seconded by Rep. Leo Dion.

The question being on the motion to indefinitely postpone HB 1.

\* \* \*

## ROLL CALL

Yeas 127

SULLIVAN COUNTY: Gaffney, Rousseau, Omar A., Barrows, D'Amante, Downing, Tracey.

BELKNAP COUNTY: deBlois, Normandin.

CARROLL COUNTY: Remick.

CHESHIRE COUNTY: Forbes, Danielchik, Cournoyer, Johnson, Elmer L., Saunders, Callahan.

COOS COUNTY: Bushey, Hunt, Manning, A. George, O'Hara, Oleson, Roy, Edgar J., Desilets, Studd, York, Elmer H., Lemire, Gagnon, Parent, Theriault.

GRAFTON COUNTY: Radway, Mitchell.

HILLSBOROUGH COUNTY: Poehlman, Weillbrenner, Fortin, Carter, Coburn, Wallin, Belcourt, Lesage, Drabinowicz, Mason, Desmarais, Lachance, Bouley, Cote, Margaret S., Aubut, Boisvert, Ralph W., Boisvert, Wilfred A., Dubois, Keeney, Cares, Nyberg, Bruton, Cote, Joseph, Duhaime, Armand L., Cullity, McDermott, Manning, Thomas E., Walsh, Edward J., Casey, Clancy, Lomazzo, O'Connor, Michael F., LaFrance, Leclerc, Martel, Thibeault, Campono, Champagne, Chevette, Delisle, Derome, Raiche, Walsh, Michael P., Belanger, O'Connor, James P., Sweeney, Clear, Nourie, Storm, Levasseur, Nalette, Allard, Lambert, Lavallee, Lesmerises, Rousseau, Hector J., Burke, Grady, Vachon.

MERRIMACK COUNTY: Gamache, Robinson, Bartlett, Mousseau, Dempsey, Gilman, Laroche, York, Edward H., Henry, Howland, Tarr.

ROCKINGHAM COUNTY: Adams, Gay, Kimball, Read, Maurice W., Senter, DeCesare, Cummings, Sewall, Twardus, Maynard, McEachern, Archie D., Dorley, McEachern, Joseph A., Splaine, Bowlen, Croft.



STRAFFORD COUNTY: Joncas, Habel, Chasse, Hebert, Boire, Dumais, Beaudoin, Levesque, Smith, Richard L., Bernard, Webber.

### Nays 246

SULLIVAN COUNTY: Logan, Mackintosh, Angus, Campbell, Nahil, Spaulding, Roma A., Hamilton, Coggeshall, Saggiotes, Frizzell, Galbraith, Merrifield, Williamson.

BELKNAP COUNTY: Urie, Allan, Stuart B., Roberts, Charles B., Randall, Earle F., Wuelper, Roberts, George B., Mutzbauer, Martin, Dearborn, Head, Prescott, Dulac, Randlett, Foster, Claude W., Stafford.

CARROLL COUNTY: Howard, Donalda K., Davis, Esther M., Cox, Roberts, Milburn F., Hayes, Davis, Dorothy W., Hickey, Chase, Russell C., Claflin, Fox.

CHESHIRE COUNTY: Ballam, Johnson, Edward A., Churchill, Trowbridge, Austin, McGinness, Allen, James F., Bennett, Jennie B., Dunham, Hackler, Thompson, Willard L., O'Neil, Battenfeld, Raymond, Pollock, Heald, Cleon E., MacKenzie, Walker, Barker, Sheldon L., Moran, Drew, Harold F.

COOS COUNTY: Huggins, Noyes, Drake, Shute, Burns, Dubey, Fortier, Brungot, McQuin, Thurston, Richardson, Mabel L.

GRAFTON COUNTY: Gardner, Van H., Rich, Stevenson, Tilton, Higgins, McGee, Brummer, Chamberlin, Bennett, Phil A., McMeekin, Anderson, Fayne E., Park, Cone, Johnson, William R., Smith, Manson B., Dow, Foster, Carl P., Duhaime, Roger M., Tremblay, Merrill, Dudley, Ellms, Blain, Hopkins, Buckman, Bell, Sears, Karsten.

HILLSBOROUGH COUNTY: Aucella, Eaton, Sterling, Sawyer, Brown, Knight, Vallee, Nixon, Daloz, Mann, Murray, Karnis, Heald, Philip C., Jr., Warren, Ferguson, Bragdon, Spalding, Kenneth W., Bridges, Brocklebank, Barker, Helen A., Record, Laplante, Roland H., Cote, Peter R., Poliquin, Dion, Robert A., Sirois, Coutermarsh, Bednar, Lynch, Peabody, Arthur H., Watson, Goode, Loxton, Van Loan, Carmen, Carrier, Lang, Milne, Zachos, Gardner, William J., Montplaisir, Murphy, Francis, Dion, Leo L., Goedecke, McGrail.

MERRIMACK COUNTY: Andrews, Sherman, Bigelow, Reed, Irene L., Gile, Reddy, Hanson, Newell, Enright, Goff, Avery, Kopperl, Bent, Burleigh, Greeley, Mattice, Welch, Alfred E., Michels, Cate, Davis, Alice, Cheney, Charles H., Sr., McLane, Horan, Smith, Roger A., Andersen, Chris K., MacDonald, Sanders, Fuller, Glavin, Howard, C. Edwin, Chase, Lila S., Welch, Donald J.

ROCKINGHAM COUNTY: Fernald, Persson, Griffin, Hall, Ormiston, Gelt, Morrill, Morrison, Marden, Sayer, Clark, Ernest D., Palmer, Schwaner, Spollett, Greenwood, Underwood, Goodrich, Hoar, Scamman, Collishaw, Eastman, Gage, Junkins, Varill, Hamel, Randall, Anthony, T., Cheney, George L., Fiske, Casassa, Ratoff, Shindledecker, Leavitt, Greene, Hammond, Lockhart, Weeks, Keefe, Bowles, Quirk, Dame, Osborn, Jameson, White, Julia, H. Coussoule.

STRAFFORD COUNTY: Dawson, Canney, Drew, Robert B., Tebbetts, Morrow, Clark, Shirley M., Cochrane, Shirley, Tirrell, Maloomian, Rolfe, Berkey, Thompson, Barbara C., Hussey, Vickery, Preston, Tripp, Peabody, Raymond B., Leighton, Pray, Fellows, Murphy, Peter J., Young, Kinney, Parnagian, Richardson, Harriett W. B., Maglaras.

### Pairs

Rep. Bissonnette voting Yea paired with Rep. LaTour voting no.

127 members having voted in the affirmative and 246 in the negative, the motion to indefinitely postpone was lost.

\* \* \*

The question now being on the adoption of the Appropriation Committee amendment.

Amendment adopted by vv.

Rep. Levesque offered the following amendment.

### AMENDMENT

Amend section 10 of the amendment by adding at the end thereof the following:

All monies received by gifts or grants shall be returned to the state treasury until such time that the \$190,000.00 ap-

propriated for said study shall be reimbursed to the state, in order that said study shall not cost more than \$190,000.00 regardless of where such monies are derived.

\* \* \*

The Clerk read the amendment in full.

Rep. Levesque spoke in favor of the amendment.

Reps. Logan and Drake spoke against the amendment.

Rep. Levesque spoke a second time and subsequently withdrew his amendment.

Rep. Raiche spoke and advised the House that the minority party would abide by the decision of the House.

HB 1, with the amendment, was ordered to a third reading by vv.

## RECESS AFTER RECESS

### COMMITTEE REPORTS CONTINUED

HB 63, providing that all court terms in Grafton county shall be held at Woodsville. Rep. Phil Bennett for Grafton County Delegation. Ought to pass with amendment.

### AMENDMENT

Amend section 2 of said bill by striking out said section and inserting in place thereof the following:

2 Probate Court. Amend RSA 549:9 by striking out said section and inserting in place thereof the following: 549:9 Grafton. For the county of Grafton, — at Woodsville, on the first Tuesday of each month except August.

\* \* \*

Rep. Radway moved that HB 63 be recommitted to the Grafton County Delegation and spoke in favor of the motion.

Rep. Phil Bennett spoke in favor of the motion.

Motion adopted by vv.

HB 86, relative to fees in the superior court. Rep. Frizzell for Judiciary. Ought to pass with amendment.

## AMENDMENT

Amend section 1 of said bill by striking out the figure "15.00" where it occurs in said section and inserting in place thereof the figure (10.00) so that said section as amended shall read as follows:

1 Fees. Amend RSA 499:18 as amended by 1963, 219:1 by striking out said section and inserting in place thereof the following: 499:18 Superior Court. For the benefit of the county, the following fees shall be paid to the clerk of the superior court:

## I. Civil.

Writ entry	\$10.00
Order of notice for service in hand or by publication	5.00
Each additional copy	2.00
Order of notice on new or additional attachment	5.00
Each additional copy	2.00
Executions	1.00
Writ of possession	2.00
Original writ	.20
All other orders of notice (copy for service and copy for return)	5.00
Each additional copy	2.00

## II. Equity.

Bills of equity entry	10.00
Orders of notice, one defendant	5.00
Each additional copy	2.00
Bills in equity by publication entry	10.00
Citation for publication and return	5.00
Each additional copy	2.00
Libels and petitions in marital cases entry	10.00
Orders of notice for one defendant	2.00
Each additional copy	2.00
Libels and petitions in marital cases by publication entry	10.00
Citation, copies for service and certified mail	6.00
Each additional copy	2.00
Temporary orders or injunctions	2.00
Petitions for modification or contempt orders or notice	5.00
Petitions for special meetings and temporary appointments	

Entry	5.00
Certified copy	2.00
Workmen's compensation petitions	
Entry	10.00
Orders of notice on defendant, insurer and commissioner	5.00
Petition for dissolution of corporation entry	10.00
Citation and copy to secretary of state	5.00
Notice of liens on bonds entry	10.00
Copies by mail to insured and insurer	5.00
Bills in equity vs. state, counties, cities and towns entry	10.00
Orders of notice for service	4.00
Divorce, legal separation and nullity certificates	2.00
Stipulations, first page	1.00
Each additional page	.50
III. Miscellaneous	
All other entries	5.00
Change of venue, entry fee in county to which case is forwarded	5.00
Taxation of costs by clerk	1.00
Rule of reference	1.00
Certificates:	
Notary, sheriff or justice of the peace	1.00
To probate court in appeal cases	1.00
Exemplified	3.00
Clerk's certificate	1.00
Copied material, first page	1.00
Each additional page	.50

\*   \*   \*

Amendment adopted and the bill was ordered to a third reading by vv.

HB 194, creating a planning board for New Hampton Village Precinct. Rep. Randlett for Municipal and County Government. Ought to pass.

Ordered to third reading by vv.

HJR 3, to authorize a mosquito control survey. Rep. Noyes for Public Health, Welfare & State Institutions. Ought to pass.

The Chair referred HJR 3 to Appropriations under the Rules.

HB 64, relative to control of aquatic nuisances. Rep. Claffin for Resources, Recreation & Development, Ought to pass with amendment.

### AMENDMENT

Amend section 3 of said bill by striking out the word and figures "July 1, 1969" and inserting in place thereof the following (upon its passage) so that said section as amended shall read as follows:

3 Effective Date. This act shall take effect upon its passage.

\* \* \*

Rep. Urie explained the bill.

(discussion ensued)

Amendment adopted and the bill was referred to Appropriations under the Rules.

HB 176, legalizing proceedings at the special meeting of the Pembroke School District held in the town of Pembroke on December 10, 1968. Rep. Coggeshall for Statutory Revision. Ought to pass with amendment.

### AMENDMENT

Amend said bill by inserting after section 1 the following new section:

2 Increase of School Board. The provisions of RSA 197:15 (supp) shall apply to Pembroke School District forthwith, prior to the actual acquisition of Pembroke Academy for a high school; and if affirmative action is taken under said section by Pembroke School District, pursuant to an article in the warrant, at the next or any ensuing annual meeting, the additional school board members thereby authorized by the district may be elected at the same meeting at which such affirmative action is taken. The filing of candidates for such additional positions on the school board in advance of such annual meeting and the preparation of a separate ballot for such candidates by the district



clerk for use at such annual meeting, if affirmative action on RSA 197:15 (supp) is taken by the district at such annual meeting, are hereby authorized.

Further amend said bill by renumbering present section 2 as section 3.

\* \* \*

Amendment adopted and the bill was ordered to a third reading by vv.

HB 37, providing for reimbursement by the state to towns and cities for the granting of certain veterans property tax exemptions. Rep. Brocklebank for Ways and Means. Inexpedient to legislate.

Rep. Greene moved that the words "ought to pass" be substituted for the committee report, inexpedient to legislate, and spoke in favor of the motion.

Rep. Greene yielded the floor to Rep. Ratoff who spoke against the motion.

Rep. Greene withdrew her motion.

Resolution of the committee was adopted by vv.

Rep. Bridges wished to be recorded as voting no on HB 37 as reported by the committee.

HB 104, relative to the time for transfer to the state of unclaimed racing ticket moneys. Rep. John Welch for Ways and Means. Ought to pass.

Ordered to third reading by vv.

HB 122, to provide an airways toll on jet fuel. Rep. Casey for Ways and Means. Inexpedient to legislate.

Resolution adopted by vv.

\* \* \*

Rep. Prescott offered the following House Concurrent Resolution No. 4.

#### RESOLUTION 4

*Whereas*, the General Court is greatly concerned with the

probable long-range cost to the state of implementing and financing a Title XIX Medicaid Program, and

*Whereas*, some evidence of the great financial burden which the present provisions of Title XIX will impose upon the state has been gathered by the interim committee of this legislature which studied this subject,

Now therefore be it resolved by the House of Representatives the Senate concurring:

That is respectfully request the Congress of the United States to re-evaluate the present and prospective costs of Title XIX Medicaid Program, which under the present federal legislation apparently will be excessive and require unrealistically large contributions by the state, and to make revisions in said federal statutes so as to bring the long-range state costs of the same within realistic bounds.

Be it further resolved that the clerks of the House and Senate of the General Court of New Hampshire be directed to transmit a copy of these resolutions to all four members of the New Hampshire congressional delegation and to the clerks of the federal House of Representatives and Senate.

The resolution was accepted and referred to the Committee on Appropriations.

## RESOLUTION

Reps. Logan and Raiche offered the following resolutions.

## RESOLUTIONS

*Whereas*, we have learned with sorrow of the death of Fred L. Stark, father of New Hampshire Secretary of State, Robert L. Stark, therefore be it

*Resolved*, that we, the members of the House of Representatives in General Court convened, do hereby extend our sympathy to the family of Mr. Stark, and be it further

*Resolved*, that a copy of these resolutions be transmitted to Mr. Stark's family.

\* \* \*

Resolutions unanimously adopted by vv.

## LETTER

January 29, 1969

To the Honorable Members of  
the House of Representatives

On January 24, 1969, this office received official notice of a House Resolution requesting an opinion on the constitutionality of "a bill increasing the gasoline tax by one cent per gallon, the proceeds of which shall be given to the cities and towns for their own use in construction, reconstruction and maintenance of Class IV and V highways, provided that said proceeds shall be distributed on a per mile basis and shall be in addition to any other highway aid."

My information is that neither a printed bill nor a draft of the bill exists to this day.

I suggest that rendering opinions on questions of law presented without the specific language which the House will be considering is not a sound method of operation either for the House or for this office. An opinion from this office on a question of law presented without the language clothing the idea may be of little utility to the House and may even be incorrect when the question of law is presented with the specificity of the proposed statutory language.

The House procedure and policy in seeking advisory opinions from the Supreme Court of New Hampshire (*N. H. Const., Pt. II, Art. 74*) may be the procedure and policy the House may desire to apply in seeking advisory opinions from the office of the Attorney General.

The Supreme Court has held that *Pt. II, Art. 74* of the Constitution "authorizes the legislature . . . to require the advice of the justices upon *important legal questions pending in the body entitled to the advice*, and awaiting the consideration and examination of that body in the course of its legislative . . . duty." [Emphasis added] *Opinion of the Justices*, 73 N. H. 625, 626.

However, the more stringent guidelines applicable when the House seeks an advisory opinion from the Supreme Court need not be applied when the House seeks an advisory opinion from the office of the Attorney General. Therefore, and to avoid

the cost of printing a bill until an opinion on its constitutionality has been rendered by this office, the House may decide to treat a bill drafted by the Office of Legislative Services, and having a sponsor, as a pending bill solely for the purpose of seeking an advisory opinion from the Attorney General. I shall await your response.

Respectfully,  
George S. Pappagianis  
Attorney General

SENATE MESSAGE, INTRODUCTION OF SENATE  
BILLS AND SENATE JOINT RESOLUTION,  
AND REFERRAL AS FOLLOWS

The Senate has passed bills and a Senate Joint Resolution with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 7, relative to the use of the senate and house chambers, anterooms and cloakrooms. Legislative Revision.

SB 21, recodifying to simplify the form of the statutes relative to salaries of county attorneys, county treasurers and county commissioners. Statutory Revision.

SB 24, relative to authority of legislature to repeal the charter of a voluntary corporation. Statutory Revision.

SB 30, amending the charter of the Phillips Exeter Academy. Statutory Revision.

SB 58, to include class IV highways in the class of highways eligible for state highway fund expenditures. Public Works.

SJR 4, making an appropriation to the division of vocational rehabilitation for the balance of the fiscal year ending June 30, 1969 for rehabilitation of persons rejected for military service. Appropriations.

\* \* \*

FURTHER SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 34, relative to required equipment on motorcycles.

HB 68, relative to the color of school buses.

\* \* \*

The Chair announced that the poll taken showed that the majority of the members wished to have the House open their sessions at 11:00 o'clock and the Chair would therefore rule that the House would meet at 11:00 o'clock hereafter unless otherwise ordered by the House.

\* \* \*

On motion of Rep. Stafford the House adjourned from the early session and the Rules were so far suspended as to permit the reading of bills by title only, and that when the House adjourns today it would be to meet tomorrow at 11:00 o'clock.

### LATE SESSION THIRD READINGS

The following bills were read a third time, passed, and sent to the Senate for concurrence.

HB 1, to provide for a citizens' task force to study the effectiveness of state government.

### RECONSIDERATION

Rep. O'Neil, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 1 and spoke against the motion.

The motion lost by vv.

\* \* \*

### THIRD READINGS CONTINUED

HB 86, relative to fees in the superior court.

HB 194, creating a planning board for New Hampton Village Precinct.

HB 176, legalizing proceedings at the special meeting of the Pembroke School District held in the town of Pembroke on December 10, 1968.

HB 104, relative to the time for transfer to the state of unclaimed racing ticket moneys.

\* \* \*

On motion of Rep. Esther Davis the House adjourned at 3:54 P.M.

*Thursday, January 30, 1969*

The House met at 11:00 o'clock.

#### HOUSE

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

Almighty God and Loving Father, in Thee we live and move and have our being. Thou art unto us a God of gracious initiative, of genuine support, of glorious incentive; in our experience of what Thou art may we find greater knowledge of ourselves. Grant unto the Members of this Joint Convention Thy continual blessing as they strive to perfect the laws of our Granite State, may their endeavors reflect Thy precepts of truth and order in our changing world.

We are mindful of the afflictions of all those near and dear to us, especially those who suffer illness in hospitals and homes. Comfort the hearts of those concerned and pour Thy healing powers of mind and body upon those who seek Thy Fatherly Goodness. Teach us the wisdom of patience and the value of courage as we live each day in faith with Thee. Amen.

#### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Coutermarsh led the House in the Pledge of Allegiance to the Flag.

#### LEAVES OF ABSENCE

Reps. Lawton and Ellms were granted leave of absence for the day on account of illness.

Rep. Cone was granted leave of absence for the day on account of hazardous traveling conditions.

Rep. O'Neil was granted leave of absence for the day on account of important business.

\* \* \*

#### RESOLUTION

Rep. Logan offered the following resolution:



*Resolved*, that in accordance with the list in the possession of the clerk, House Bills numbered 255 through 279 and House Joint Resolutions numbered 32 through 36 and Concurrent Resolution Proposing Constitutional Amendments numbered 10 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.

\* \* \*

## INTRODUCTION OF BILLS

HB 255, relating to historical markers on state and local highways. (Bowles of Rockingham Dist. 25 — To Public Works.)

HB 256, making an appropriation for the cost of moving and paying rental of state departments to make space available for the 1969 General Court. (Mackenzie of Cheshire Dist. 16, Cares of Hillsborough Dist. 24 — To Appropriations.)

HB 257, relative to adjustment of salaries of classified state employees based on cost-of-living index, and making an appropriation therefor. (Andersen of Merrimack Dist. 25 — To Executive Departments & Administration.)

HB 258, providing for state payment of tuition for pupils residing on state owned property and making appropriation therefor. (Clark of Strafford Dist. 4 — To Education.)

HB 259, relative to the practice of engineering. (Newell of Merrimack Dist. 26 — To Public Works.)

HB 260, reducing the tax on tobacco. (Remick of Carroll Dist. 4 — To Ways & Means.)

HB 261, relative to distribution of cards at polling places. (Spaulding of Sullivan Dist. 4 — To Judiciary.)

HB 262, relative to the carriage of property for hire by motor vehicles. (D'Amante of Sullivan Dist. 5 — To Transportation.)

HB 263, for overtime pay for classified state employees and making an appropriation therefor. (Angus of Sullivan Dist. 4 — To Executive Departments & Administration.)

HB 264, providing for the acquisition of certain lands and flowage rights and dam and to provide for the construction of a lake management structure at the outlet of Angle Pond in Sandown, Hampstead, and making an appropriation therefor. (Cummings of Rockingham Dist. 11, Spollett of Rockingham Dist. 10 — To Resources, Recreation & Development.)

HB 265, relative to foster care services for certain children and youth and making an appropriation therefor. (Heald of Hillsborough Dist. 10, Barker of Cheshire Dist. 17 — To Labor, Human Resources & Rehabilitation.)

HB 266, making appropriations for the purchase, operation and maintenance of a state-owned aircraft. (Coutermarsh of Hillsborough Dist. 22 — To Transportation.)

HB 267, in favor of Roger J. Paradise. (Gile of Merrimack Dist. 5 — To Claims, Military & Veterans Affairs.)

HB 268, relative to issuance of certificates for carriage of household goods for hire by motor vehicle. (D'Amante of Sullivan Dist. 5, Saggiotes of Sullivan Dist. 6 — To Transportation.)

HB 269, repealing provisions for assessment of taxes on stud-horses and jackasses. (Warren of Hillsborough Dist. 10 — To Ways & Means.)

HB 270, permitting cities and towns to provide ambulance service. (deBlois of Belknap Dist. 8 — To Public Health, Welfare & Institutions.)

HB 271, to establish a department of adult correction and making an appropriation therefor. (Cournoyer of Cheshire Dist. 6 — To Labor, Human Resources & Rehabilitation.)

HB 272, to establish a state liquor store in the town of Osipee, and making an appropriation therefor. (Hickey of Carroll Dist. 6 — To Liquor Laws.)

HB 273, appropriating funds for the state nursing scholarship program. (Weeks of Rockingham Dist. 23 — To Public Health, Welfare & Institutions.)

HB 274, covering into the state personnel system certain non-academic employees of the University of New Hampshire

and the state colleges. (Murphy of Strafford Dist. 18 — To Executive Departments & Administration.)

HB 275, requiring the establishment of a manufacturing engineering curriculum at the New Hampshire Technical Institute, and making an appropriation therefor. (Mutzbauer of Belknap Dist. 7 — To Education.)

HB 276, relative to the power of Franconia College to grant degrees. (Saunders of Cheshire Dist. 14 — To Education.)

HB 277, establishing the position of liaison officer between conservation districts, and making an appropriation therefor. (Sawyer of Hillsborough Dist. 3 — To Fish & Game.)

HB 278, relative to residence halls, food service and supporting service buildings at the university. (Clark of Strafford Dist. 4 — To Public Works.)

HB 279, to provide payments for taxes lost on lands owned by the state for the use of fish and game department. (Huggins of Coos Dist. 1 — To Fish and Game.)

HJR 32, providing for study of cost-of-living increases in retirement benefits for state employees and making an appropriation therefor. (Williamson of Sullivan Dist. 9 — To Executive Departments & Administration.)

HJR 33, in favor of Anthony Fabrizio. (Stafford of Belknap Dist. 12 — To Claims, Military & Veterans Affairs.)

HJR 34, making appropriations for airport snow removal and airport lighting aid. (Coutermarsh of Hillsborough Dist. 22 — To Transportation.)

HJR 35, making appropriation for search and rescue of lost aircraft. (Coutermarsh of Hillsborough Dist. 22 — To Appropriations.)

HJR 36, making an appropriation for state aid for regional planning. (Radway of Grafton Dist. 9, Knight of Hillsborough Dist. 4 — To Appropriations.)

CACR 10, Relating to: The legislature's power to tax. Providing that: The provisions requiring that all taxes upon inhabitants, residents and estates be proportional shall be removed from the constitution. (Radway of Grafton Dist. 9 — To Constitutional Revision.)

The Chair announced that Rep. Newell had withdrawn his notice of reconsideration on HB 94, relative to preparation of bills for submission to the Governor.

\* \* \*

### COMMITTEE REPORTS

HB 171, relative to filing declarations of candidacy for delegate to a national convention. Rep. Andrews for Judiciary. Ought to pass.

Ordered to third reading by vv.

HB 173, relative to the penalties for driving after suspension or revocation of operator's license. Rep. Brummer for Judiciary. Inexpedient to legislate.

Resolution adopted by vv.

HB 135, to abolish the water commission in the town of Charlestown and transfer its functions to the selectmen. Rep. Hanson for Municipal and County Government. Ought to pass with amendment.

### AMENDMENT

Amend said bill by striking out section 4 and inserting in place thereof the following:

4 Referendum. This act shall not be in effect unless it is adopted by a majority vote of the legal voters of the town of Charlestown at the annual town meeting in March, 1969, or a special meeting called for the purpose subsequent to said March meeting. If a vote is taken at the annual town meeting, the clerk shall cause to be included on the regular ballot for the election of officers the following question: "Shall the provisions of an act abolishing the board of water commissioners for the town of Charlestown and transferring its functions to the selectmen as passed by the 1969 legislature be adopted?" Beneath this question shall be printed the word "Yes" and the word "No" with a square immediately opposite each such word, in which the voter may indicate his choice. If a vote is taken at a special meeting the town clerk shall prepare a special ballot with the above question and places for the voter to indicate his choice. If a majority of those present and voting on the ques-

tion vote in the affirmative on this question this act shall be declared to have been adopted.

\* \* \*

Amendment adopted and the bill was ordered to a third reading by vv.

HB 100, requiring certain nursing homes to accept welfare cases. Rep. Carl Foster for Public Health, Welfare and State Institutions. Inexpedient to legislate.

Resolution adopted by vv.

HB 206, to reclassify a class II highway in the town of Mason to a class V highway. Rep. Bragdon for Public Works. Ought to pass with amendment.

#### AMENDMENT

Amend section 2 of the bill by inserting in line two after the word "state" the following (to town road aid standards) so that said section as amended shall read as follows:

2 Effective Date. This act shall take effect on completion of improvements by the state to town road aid standards.

\* \* \*

Amendment adopted and the bill was ordered to a third reading by vv.

HB 180, empowering the governor and council to establish the fees for the copies of records on certain rehearing and appeals under the personnel system. Rep. Coggeshall for Statutory Revision. Ought to pass.

Ordered to third reading by vv.

HB 203, relative to certain restrictions prohibiting the transfer of motor vehicle registrations. Rep. Tebbetts for Transportation. Inexpedient to legislate.

Resolution adopted by vv.

HB 213, relative to suspension of motor vehicle operator's license for convictions for speed or stop sign violation. Rep. Sears for Transportation. Inexpedient to legislate.

Resolution adopted by vv.

SENATE MESSAGE AND INTRODUCTION OF  
SENATE BILLS

\* \* \*

The Senate has passed the following bills, in the passage of which it asks the concurrence of the House of Representatives:

SB 5, relative to bail and recognizance reform. — Judiciary.

SB 12, to prohibit the use of household furniture as collateral for small loans. — Banks.

SB 15, to eliminate registration of out-of-state marriages with town clerks. — Municipal & County Government.

SB 33, to repeal the provisions relating to tramps. — Statutory Revision.

## COMMUNICATION

39 Rockingham St.  
Concord, N. H.  
Jan. 28, 1969

Honorable Marshall W. Cobleigh  
Speaker of the House of Representatives  
State House  
Concord, New Hampshire

Dear Mr. Cobleigh:

Please convey my sincere thanks and appreciation to the Members of the House for their "get well" Resolution and their many cards. My thanks go also to the Attaches of the House for the lovely plant and their many cards.

Due to the seriousness of the coronary attack that I had on New Year's Day and the set-back I have had this week, I am regretfully resigning my position as a Doorkeeper. I shall miss my many friends and I appreciate their support since 1953, but my doctors feel it is for my best interest to resign.

Respectfully,  
/s/ Bertha E. Boutwell  
Bertha E. Boutwell  
(Mrs. Ernest A.)

The Chair accepted the resignation.



The Chair granted Rep. Varrill's request to address the House.

\* \* \*

On motion of Rep. Stafford the House adjourned from the early session and the Rules were so far suspended as to permit the reading of bills by title only, and that when the House adjourns today it would be to meet Tuesday next at 11:00 o'clock.

### LATE SESSION THIRD READING OF BILLS

The following bills were read a third time, passed, and sent to the Senate for concurrence.

HB 171, relative to filing declarations of candidacy for delegate to a national convention.

HB 135, to abolish the water commission in the town of Charlestown and transfer its functions to the selectmen.

HB 206, to reclassify a class II highway in the town of Mason to a Class V highway.

HB 180, empowering the governor and council to establish the fees for the copies of records on certain rehearing and appeals under the personnel system.

\* \* \*

On motion of Rep. Peter Cote the House adjourned at 11:25 A.M.

*Tuesday, February 4, 1969*

The House met at 11:00 o'clock.

### HOUSE

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

Come, O thou Holy Spirit, into our midst. Rest above our heads and enter into our hearts. Then may the commonplace tasks shine with a new light; then may our dull duties become splendid opportunities for service; then may our lives become channels of Thy grace and the greater things of Thy promise and expectation be done through us.

This morning we would pause, O Heavenly and Loving Father, to join with others in our State and Nation, to pray for the safe and speedy return of little Debra Horn to her anxious family. Grant unto this suffering family continued hope and faith to carry them through their heart-rending ordeal. Grant courage and strength, in Thy most Holy Name we pray. Amen.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Palmer led the House in the Pledge of Allegiance to the Flag.

### LEAVES OF ABSENCE

Rep. Chase was granted leave of absence for the day on account of illness.

Rep. Head was granted leave of absence for today and Wednesday on account of illness.

Reps. Armand Duhaime and Ellms were granted indefinite leave of absence on account of illness.

Rep. Chamard was granted leave of absence for the day on account of a death in the family.

Rep. Sayer was granted leave of absence for the day on account of important business.

## QUALIFIED

Rep. Betley appeared before Governor Peterson and was sworn in as Representative from Manchester.

## ANNOUNCEMENT

The Chair announced that Rep. Goedecke had been appointed to the Constitutional Revision committee.

\* \* \*

## RESOLUTION

Rep. McMeekin offered the following resolution:

*Resolved*, that in accordance with the list in the possession of the clerk, House Bills numbered 280 through 288 and House Joint Resolution numbered 37 and Concurrent Resolution Proposing Constitutional Amendments numbered 11 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the designated committees.

\* \* \*

Resolution adopted by vv.

## INTRODUCTION OF BILLS

The following bills were read a first and second time, laid on the table for printing and referred as follows:

HB 280, relative to a school of social work at the university. (O'Neil of Cheshire Dist. 12, Normandin of Belknap Dist. 9, Raiche of Hillsborough Dist. 34, & Nighswander of Belknap Dist. 4 — To Education.)

HB 281, relative to sewage disposal systems near shorelines and establishment of fees for submission of plans for approval, and making an appropriation therefor. (Urie of Belknap Dist. 1 — To Resources, Recreation & Development.)

HB 282, relative to the posting of land against use by snow vehicles. (Kopperl of Merrimack Dist. 12 — To Judiciary.)

HB 283, establishing a police commission for the town of Bow. (Hanson of Merrimack Dist. 6 — To Municipal & County Government.)

HB 284, authorizing a study of the interrelationship of state and local governments in the administration of welfare and making an appropriation therefor. (Barker of Cheshire Dist. 17 — To Public Health.)

HB 285, relative to old age assistance to aliens, and making an appropriation therefor. (Barker of Cheshire Dist. 17 — To Executive Departments & Administration.)

HB 286, increasing interest for late payment of taxes. (deBlois of Belknap Dist. 8, Levesque of Strafford Dist. 13 — To Ways & Means.)

HB 287, relative to the expansion of the water system at the University of New Hampshire and making an appropriation therefor. (Cochrane of Strafford Dist. 4 — To Public Works.)

HB 288, requiring certain milk containers to be dated. (Oleson of Coos Dist. 5 — To Agriculture.)

HJR 37, providing additional appropriation for the tax commission. (MacKenzie of Cheshire Dist. 16 — To Appropriations.)

CACR 11, Relating to Legal Voting Age; Providing That Eighteen year olds may vote. (Merrill of Grafton Dist. 13, Murphy of Strafford Dist. 18, Chase of Merrimack Dist. 27, & Bowles of Rockingham Dist. 25 — To Constitutional Revision.)

## COMMITTEE REPORTS

HB 5, to extend the insurance premium tax to include hospital service corporations. Rep. Levesque for Banks and Insurance. Ought to pass with amendment.

## AMENDMENT

Amend the title of House Bill 5 by inserting after the word "hospital" the following (and medical) so that said title as amended shall read as follows:

## AN ACT

to extend the insurance premium tax to include hospital and medical service corporations.

Amend RSA 402:57-a, as inserted by section 1 of the bill, by inserting at the end thereof the following (from residents of this state) so that it shall read as follows:

402:57-a Tax; Hospital and Medical Service Corporations. Every hospital service corporation doing business pursuant to chapter 419, and every medical service corporation doing business pursuant to chapter 420, shall pay to the state treasurer, within one month after receiving notice from the commissioner of the amount thereof, a tax of two per cent on all subscription charges, less return payments due to subscribers whose subscriptions have terminated, collected during the year ending on the previous December thirty-first from residents of this state.

\* \* \*

Rep. Maloomian moved that HB 5 be indefinitely postponed and spoke in favor of the motion.

Rep. Coutermarsh spoke in favor of the motion.

Rep. Bigelow spoke against the motion.

(discussion ensued)

Reps. Clement, O'Hara and Brungot spoke in favor of the motion.

Reps. Avery and Williamson spoke against the motion.

(discussion ensued)

Reps. Bednar, Lemire, Theriault and Reddy spoke in favor of the motion.

(discussion ensued)

(Rep. Bridges in the Chair)

Rep. Mackintosh spoke against the motion.

(discussion ensued)

Rep. Murray spoke against the motion.

Rep. O'Neil spoke in favor of the motion.

Rep. Coutermarsh requested a division.

258 members having voted in the affirmative and 43 having voted in the negative the motion to indefinitely postpone prevailed.

HB 91, to require the public utilities commission to hold its hearings within the area served by the utility concerned. Rep. Brummer for Executive Departments and Administration. Inexpedient to legislate.

Resolution adopted by vv.

HB 137, providing additional (cost of living) retirement allowances for state employees who retired subsequent to July 1, 1961 and prior to January 1, 1968. Rep. Michels for Executive Department and Administration. Ought to pass.

The Chair referred HB 137 to Appropriations under the Rules.

HB 142, providing for and increasing additional retirement allowances for state employees who retired prior to July 1, 1961. Rep. Michels for Executive Departments and Administration. Ought to pass.

The Chair referred HB 142 to Appropriations under the Rules.

HB 143, providing cost of living retirement allowances for state employees who shall have retired subsequent to January 1, 1968 and prior to December 31, 1969. Rep. Michels for Executive Departments and Administration. Inexpedient to legislate.

Resolution adopted by vv.

HB 172, relative to the size of the fish and game commission. Rep. Gagnon for Executive Departments and Administration. Inexpedient to legislate.

Resolution adopted by vv

HB 205, providing additional retirement allowances for certain retired state employees. Rep. Martin for Executive Departments and Administration. Inexpedient to legislate.

Resolution adopted by vv.

HB 218, relative to membership on state council on aging. Rep. Gardner for Executive Departments and Administration. Ought to pass.



The Chair referred HB 218 to Appropriations under the Rules.

HB 52, relative to removal of bob houses from public and private property. Rep. Terrill for Fish and Game. Ought to pass with amendment.

#### AMENDMENT

Amend paragraph II of RSA 211:17-a as inserted by section 1 of said bill by striking out the word "first" in line three and inserting in place thereof the word (seventh) so that said paragraph as amended shall read as follows:

II. Any owner of a smelt shanty or bob house who shall allow said structure to remain on public property or public waters or on the property of another without permission after April seventh shall be fined not more than twenty-five dollars, and the fish and game department may claim such property and contents thereof and sell at a public auction to be held at the discretion of the director, or, if of no value and the owner cannot be apprehended, said structure and its contents may be destroyed.

\* \* \*

Amendment adopted and the bill ordered to a third reading by vv.

HB 155, relative to power of director of fish and game in removing nuisance animals, birds and fish. Rep. Huggins for Fish and Game. Ought to pass.

Ordered to third reading by vv.

HB 160, relative to expiration date for trapping licenses and required report of yearly catch. Rep. Huggins for Fish and Game. Ought to pass.

Ordered to third reading by vv.

HB 73, relative to filling vacancies in the house of representatives in multi-town districts. Rep. Brungot for Judiciary. Ought to pass with amendment.

#### AMENDMENT

Amend section 1 of said bill by inserting after the word "town" in line five the words (upon request of the selectmen of

any town in said district) so that said section as amended shall read as follows:

1 Date of Special Election. Amend RSA 66 by inserting after section 7 (supp) as amended by 1965, 216:4 the following new section: 66: 7-a Multi-town Districts. When a vacancy in the office of representative or representative-elect occurs in a district that is comprised of more than one town, upon request of the selectmen of any town in said district, the governor and council shall set the date for a special election to fill the vacancy.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2 Effective Date. This act shall take effect upon its passage.

\* \* \*

Amendment adopted and the bill ordered to a third reading by vv.

HB 210, relating to dogs as a menace. Rep. Hanson for Municipal and County Government. Ought to pass.

Ordered to third reading by vv.

HB 214, increasing the percentage of the tax on the transfer of real property which is paid to the register of deeds. Rep. Hall for Municipal and County Government. Ought to pass.

Rep. James Allen explained the bill.

Ordered to third reading by vv.

HB 81, relative to qualifications for bail commissioner. Rep. Burleigh for Statutory Revision. Ought to pass.

Ordered to third reading by vv.

HB 188, relative to the statute of limitations on personal actions was withdrawn by committee.

\* \* \*

## RESOLUTION

A Resolution offered by the Journal Committee:

That HJR 10 be inserted on Page 68 of the House Journal of January 2, 1968.

That HJR 23 be deleted from the House Journal of January 22 and be inserted in that of January 21, 1969.

Joseph Burleigh  
For the Committee

\* \* \*

Resolution adopted by vv.

### COMMUNICATION

National Aeronautics and Space Administration  
Manned Spacecraft Center

Houston 1, Texas

Jan. 28, 1969

Mr. J. Milton Street  
Clerk  
House of Representatives  
Concord, New Hampshire

Dear Mr. Street:

Many thanks to you and the members of the New Hampshire House of Representatives for sending us copies of your RESOLUTIONS congratulating us upon the success of the Apollo VIII flight. As crewmen of this historic first voyage around the moon, we appreciate your thoughtfulness in thus saluting man's first interplanetary mission and are most grateful for your generous and kind comments regarding our participation in this achievement.

Sincerely,

/s/ Frank Borman  
Frank Borman  
Colonel, USAF  
NASA Astronaut

/s/ James A. Lovell, Jr.  
James A. Lovell, Jr.  
Captain, USN  
NASA Astronaut

/s/ W. A. Anders  
William A. Anders  
Lt. Colonel, USAF  
NASA Astronaut

## SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 54, authorizing Daniel Webster Junior College to grant associate degrees.

HB 101, authorizing Notre Dame College to confer certain associate degrees.

HB 105, relative to authority of Franklin Pierce College to confer degrees.

HB 146, requiring an institution of higher learning which has ceased to conduct courses to file its records with the Coordinating Board and to be re-evaluated by said Board if instruction is resumed.

(Speaker in the Chair)

## ENGROSSED BILLS COMMITTEE REPORT

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bills.

HB 34, An Act relative to required equipment on motorcycles.

HB 54, An Act authorizing Daniel Webster Junior College to grant associate degrees.

HB 68, An Act relative to the color of school buses.

HB 101, An Act authorizing Notre Dame College to confer certain associate degrees.

HB 105, An Act relative to authority of Franklin Pierce College to confer degrees.

HB 146, An Act requiring an institution of higher learning which has ceased to conduct courses to file its records with the coordinating board and to be re-evaluated by said board if instruction is resumed.

Roxie Forbes  
for the Committee

Rep. Claflin moved that HB 66, providing for the acquisition of water rights and dam at Sewalls Falls in Concord, be granted an extension of time for six legislative days and spoke in favor of the motion.

Reps. Logan and Shirley Clark spoke in favor of the motion.

Rep. Claflin spoke a second time in favor of the motion.

Motion adopted by vv.

\* \* \*

On motion of Rep. Stafford the House adjourned from the early session and the Rules were so far suspended as to permit the reading of bills by title only, and that when the House adjourns today it be to meet tomorrow at 11:00 o'clock.

#### LATE SESSION

Rep. Hamilton requested unanimous consent to address the House. Such consent being granted, Rep. Hamilton addressed the House.

Rep. Wallin moved that Rep. Hamilton's remarks be printed in the Journal.

Motion lost by vv.

\* \* \*

#### THIRD READING OF BILLS

The following bills were read a third time, passed, and sent to the Senate for concurrence.

HB 52, relative to removal of bob houses from public and private property.

HB 155, relative to power of director of fish and game in removing nuisance animals, birds and fish.

HB 160, relative to expiration date for trapping licenses and required report of yearly catch.

HB 73, relative to filling vacancies in the house of representatives in multi-town districts.

HB 210, relating to dogs as a menace.

HB 214, increasing the percentage of the tax on the transfer of real property which is paid to the register of deeds.

At the request of Rep. Johnson Rep. Hanson explained the bill.

Rep. Hanson moved that the Rules of the House be so far suspended as to permit HB 214 to be placed back on second reading.

Motion adopted by vv.

HB 214 was referred to Appropriations under the Rules.

### THIRD READING OF BILLS CONTINUED

HB 81, relative to qualifications for bail commissioner.

\* \* \*

On motion of Rep. Tilton the House adjourned at 1:43 P.M.

---

*Wednesday, February 5, 1969*

The House met at 11:00 o'clock.

### HOUSE

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

Almighty and Everlasting God, in faith we believe that Thou art active today in the lives of men and nations to set them free and bring them out of great trial and tribulation. As all of us in this one world are involved in the events of our times, grant unto us great insight and wisdom that we may understand what is happening in the world, and help us to will and to act that we may be agents of Thy purposes, never impeding them, always pursuing them, preparing the way of the Lord into the hearts of nations and men. As individuals, make us captives, Lord. Thus we may become free. Captive to truth



we shall be free from error. Captive of love we shall be free from hatred. Captive to righteousness we shall be free from transgressions. Captive to Thee we shall be free from self. Deliver us from all evil that would bind us, all passions that betray us, all ideas and purposes that would dishonor us. May our every endeavor glorify Thee this day. Amen.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Dorothy Davis led the House in the Pledge of Allegiance to the Flag.

### LEAVES OF ABSENCE

Rep. Lila Chase was granted leave of absence for today and Thursday on account of illness.

### RESOLUTION

Rep. McMeekin offered the following resolution:

*Resolved* that, in accordance with the list in the possession of the clerk, House Bills numbered 289 through 309 and House Joint Resolutions numbered 38 through 39 and Concurrent Resolutions Proposing Constitutional Amendments numbered 12 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.

### INTRODUCTION OF BILLS

The following bills, resolutions and constitutional amendments were read a first and second time, laid on the table for printing and referred as follows:

HB 289, exempting certain tidal marshlands from statutory restrictions on excavating and dredging. (Greene of Rockingham Dist. 22, and Hammond of Rockingham Dist. 22 — To Resources, Recreation & Development.)

HB 290, relative to filling and excavating of certain marshlands in the town of Rye. (Greene and Hammond of Rockingham Dist. 22 — To Resources, Recreation & Development.)

HB 291, increasing the appropriation for town road aid. (Hanson of Merrimack Dist. 6 — To Public Works.)

HB 292, increasing the appropriation for class V maintenance money. (Hanson of Merrimack Dist. 6 — To Public Works.)

HB 293, to provide additional retirement allowances to certain retired members of the policemen's retirement system. (Tarr of Merrimack Dist. 28 — To Executive Departments & Administration.)

HB 294, constituting the Lincoln district court. (McGee of Grafton Dist. 3 — To Constitutional Revision.)

HB 295, to establish a veterinary diagnostic laboratory, and making an appropriation therefor. (Tirrell of Strafford Dist. 4 and Underwood of Rockingham Dist. 12 — To Agriculture.)

HB 296, authorizing the governor and council to guarantee payment of bonds issued by a county for capital improvements. (Williamson of Sullivan Dist. 9 — To Municipal & County Government.)

HB 297, relative to general housekeeping changes in the laws concerning the state board of education. (Greene of Rockingham Dist. 22, and Raiche of Hillsborough Dist. 34 — To Executive Departments & Administration.)

HB 298, relative to procedure for annexation of a school district to a cooperative school district. (Greene of Rockingham Dist. 22 & Raiche of Hillsborough Dist. 34 — To Education.)

HB 299, relative to general changes in the statutes concerning school districts. (Greene of Rockingham Dist. 22, Raiche of Hillsborough Dist. 34 — To Education.)

HB 300, providing for salaries for sheriff and deputy sheriffs of Rockingham county. (Morrill of Rockingham Dist. 7 — To Rockingham Delegation.)

HB 301, providing that a portion of hunting license revenue shall be used for stocking small game. (Maynard of Rockingham Dist. 24 — To Fish & Game.)

HB 302, relative to the definition of the term "house trailers." (Morrill of Rockingham Dist. 7 — To Public Works.)

HB 303, relative to the operation of motorcycles. (Morrill of Rockingham Dist. 7 — To Transportation.)

HB 304, relative to the amount of real estate loan and investments of building and loan associations and cooperative banks. (Greeley of Merrimack Dist. 16 — To Banks.)

HB 305, relating to revocation of powers of attorney regarding bank accounts. (Greeley of Merrimack Dist. 16 — To Banks.)

HB 306, relative to planning for the future development of Great Bay, and making an appropriation therefor. (Junkins of Rockingham Dist. 16, Schwaner of Rockingham Dist. 9, and Scamman of Rockingham Dist. 15 — To Resources, Recreation & Development.)

HB 307, defining a handicapped child. (Greene of Rockingham Dist. 22, Raiche of Hillsborough Dist. 34 — To Labor.)

HB 308, relating to bond issuing procedures of cooperative school districts. (Clark of Strafford Dist. 4 — To Education.)

HB 309, relative to county bonds. (Clark of Strafford Dist. 4 — To Municipal & County Government.)

HJR 38, in favor of Willis R. Lott. (Buckman of Grafton Dist. 17 — To Claims, Military & Veterans Affairs.)

HJR 39, appropriating funds for surveying and reconstructing route U. S. 302 in Bartlett. (Howard of Carroll Dist. 1 — To Public Works.)

CACR 12, Relating to Legal Voting Age. Providing That Nineteen year old may vote. (Hamilton of Sullivan Dist. 5 — To Constitutional Revision.)

## COMMITTEE REPORTS

Rep. Drake moved that the Rules of the House be so far suspended as to dispense with the public hearing on SJR 4 and that the Resolution be taken up at the present time and spoke in favor of the motion.

(discussion ensued)

(Rep. Stafford in the Chair)

Reps. Cobleigh and Bednar spoke in favor of the motion.

Motion adopted by vv.

### COMMITTEE REPORTS

SJR 4, Joint Resolution making an appropriation to the division of vocational rehabilitation for the balance of the fiscal year ending June 30, 1969 for rehabilitation of persons rejected for military service. Rep. Drake for Appropriations. Ought to pass.

Ordered to third reading by vv.

(Speaker in the Chair)

HB 32, relative to certain power-driven equipment. Rep. Fuller for Constitutional Revision. Inexpedient to legislate.

Resolution adopted by vv.

CA-CR 3, proposing constitutional amendments relating to: Certain military officers holding offices in the state government. Rep. Fuller for Constitutional Revision. Inexpedient to legislate.

Resolution adopted by vv.

HB 175, establishing a college of life sciences and agricultures, a school of health studies, a school of social work, and a school of architecture and environmental studies at the University of New Hampshire. Rep. Dunham for Education. Ought to pass.

### PARLIAMENTARY INQUIRY

Rep. Drake rose on a point of parliamentary inquiry.

The Chair referred HB 175 to Appropriations under the Rules.

HB 85, requiring that a report of bear kill be made to deer receiving stations. Rep. Huggins for Fish and Game. Ought to pass with amendment.

### AMENDMENT

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Report to Deer Registration Station. Amend RSA 208:23 (supp) as inserted by 1965, 143:1 by striking out said section and inserting in place thereof the following: 208:23 Report of Bear Killed. Any person who has killed a wild bear in this state shall make a report at the first open deer registration station on the route taken by the person who killed the bear, indicating the town in which said bear was taken and furnishing such other information as the director may require. The registration agent shall register each bear in the manner prescribed by the director and shall collect a fee of twenty-five cents from the person registering said bear. Any person who fails to make the report required by this section shall be fined not more than twenty-five dollars.

\* \* \*

Amendment adopted and the bill was ordered to a third reading by vv.

HB 147, relative to the larceny of deer. Rep. Huggins for Fish and Game. Ought to pass with amendment.

#### AMENDMENT

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Presumed Value of Stolen Deer or Bear. Amend RSA 208 by inserting after section 9 (supp) the following new section: 208:9-a Larceny of Deer or Bear. Any person who shall steal, take and carry away a deer, bear or any part thereof, of another without permission shall be guilty of larceny of personal property. The value of the deer, bear, or part thereof stolen shall be presumed to be not less than fifty dollars nor more than one hundred dollars, in the absence of credible evidence to the contrary, and any person convicted of a violation hereof shall be subject to the penalties prescribed in RSA 582:4.

\* \* \*

Amendment adopted and the bill was ordered to a third reading by vv.

HB 186, to provide for biennial hearing before fish and game commission. Rep. Huggins for Fish and Game. Ought to pass.

Ordered to third reading by vv.

HB 28, to empower the fiscal committee to appoint advisory panels. Rep. Mackintosh for Legislative Revision. Inexpedient to legislate.

Resolution adopted by vv.

HB 149, relative to extending the jurisdiction of local police by consent, was withdrawn by committee.

HB 16, relative to licenses to operate motor vehicles. Rep. Remick for Transportation. Inexpedient to legislate.

Resolution adopted by vv.

### COMMITTEE OF CONFERENCE REPORT ON JOINT RULES

The Chair ordered report printed in today's Journal.

The committee of conference to which was referred the proposed amendments to the Joint Rules, having considered the same report the same with the following recommendations:

That the House recede from its position of the amendment which it adopted to the Joint Rules, and

That the Senate recede from its position of nonconcurrency in the adoption of the amendments proposed by the House, and

That the Senate and House each adopt the following amendments to the Joint Rules:

That the Joint Rules, as adopted by the 1967 session of the General Court, be amended by striking out Rule 12 and inserting in place thereof the following:

12. Each body shall take final action on all bills that originate therein not later than June 15th. The nonoriginating body shall take final action on all referred bills not later than June 25th, provided that if any bill is sent to a committee of conference further action may be taken subsequent to said date by the House and Senate.

That the Joint Rules as adopted by the 1967 General Court, be amended by striking out Rule 20 and inserting in place thereof the following:

20. Concurrent Resolutions Proposing Constitutional Amendments. Proposed constitutional amendments shall be



submitted as concurrent resolutions entitled: "Concurrent Resolution proposing a Constitutional Amendment Relating to \*\*\*", and with a resolving clause in the following form: "Be it Resolved by the (Senate) (House of Representatives) the (House of Representatives) (Senate) concurring, that the Constitution of New Hampshire be amended as follows:" Concurrent resolutions proposing a constitutional amendment shall truly propose to amend or supplement the Constitution and contain only subject matter which genuinely belong in the fundamental law of the state: it being the intention of this rule to exclude therefrom all subject matter which is legislative in nature and all questions which are submitted under the guise of constitutional amendments for the primary purpose of obtaining a popular referendum. Each concurrent resolution shall set forth the text of the new matter to be inserted in the Constitution and also the text of a question summarizing the amendment, to appear on the ballot proposing such constitutional amendment, shall specify the particular general election at which such question is to be submitted to the voters, and shall state whether it is to appear on the regular or a separate ballot. All such concurrent resolutions shall be read a first and second time by title and referred to the appropriate standing committee for public hearing and report. Amendments to such a resolution shall be in order while the measure is still on second reading. On the question of ordering such a resolution to third reading and final passage and on the question of final passage, the President and Speaker shall require a division vote unless a roll call is recorded under the rules and completed, adoption of either of said questions shall require a vote of three-fifths of the entire membership of each house. In case of disagreement between the two bodies, such concurrent resolutions shall be subject to the usual conference committee procedure. Such concurrent resolution, if adopted by the required constitutional majority of each body, shall be engrossed in the usual form and signed by the Speaker and the President, and shall be submitted to the Secretary of State for appropriate action and for submission to the voters. Such concurrent resolutions shall be made a part of the permanent legislative records.

That the Joint Rules, as adopted by the 1967 session of the General Court, be amended by adding after Rule 20 the following:

20-a. A concurrent resolution proposing a constitutional amendment, as provided by Rule No. 20, shall be read into the Senate or House where it originates not later than the first day of March first following the assembly of any General Court. Hearings on such resolution may be held jointly by the appropriate standing committee of the Senate and House provided that in the event the resolution is amended in the first body and the second body chooses to have a second hearing this too may be joint. The committee vote on the resolution shall be by each committee and not by the committees jointly and passage in final form shall be completed by both bodies not later than the last legislative day of April of the calendar year in which the resolution was introduced. After said date in April, no further action may be taken by either house on the resolution provided that if in the opinion of the attorney general, or an advisory opinion from the supreme court states that, the form of the question in the resolution needs to be amended, the two bodies may amend the resolution in such particular only by affirmative vote of no less than three-fifths of the entire membership of each house taken on division or roll call vote. A motion to so amend shall be in order in either body, notwithstanding any other rule to the contrary, at any time prior to the prorogation of the assembly of that General Court.

21. The general appropriation bill for each fiscal year (the so-called budget bill) and the capital improvement bill shall be introduced in the form proposed by the Appropriations Committee no later than May first, and the House shall take final action on said bills, and the bills shall be entered into the Senate not later than June first. The Senate shall take final action on said bill no later than June fifteenth, provided that if said bills are sent to a conference committee further action may be taken subsequent to said dates by the House and Senate.

22. Conference Committees on Budget Bills. The report of the conference committee on either the general appropriation bill or the capital improvements bill shall be printed in the journal before action is taken on the floor in either body on said report.

23. The report of a committee of conference on a concurrent resolution proposing an amendment to the constitution shall be first returned to that house which acceded to a request

for a committee of conference. The report shall be recorded in full in the journal of that house to which it is first returned and made a special order of business at the late session of a subsequent day. After said report has been adopted by the house to which it was first returned, it shall then be transmitted to the other house for its action.

Stewart Lamprey  
Harry Spanos  
Conferees on the part of the Senate  
Kimon S. Zachos  
N. A. McMeekin  
Jean Wallin  
Conferees on the part of the House

\* \* \*

The report was accepted.

#### RESOLUTION

Rep. Coutermarsh offered the following Resolutions:

#### TO PROVIDE ESSENTIAL AIR NAVIGATION AIDS FOR NEW HAMPSHIRE AIRPORTS

*Whereas*, the State of New Hampshire is dependent on air commerce as a means of moving people, both short and long haul, to other areas of the nation; and

*Whereas*, the need for safe and dependable air transportation under all weather conditions is vital to the economy of the State of New Hampshire; and

*Whereas*, serious deficiencies in safe and reliable air navigational aids now exist at all major airports in the State of New Hampshire;

*Now, Be it Resolved*, that we the members of the 1969 House of Representatives do hereby urge our Senators and Representatives in the United States Congress to petition the Federal Aviation Administration to acquire and install proper navigational aids at all major airports within the State of New Hampshire; and

*Be it Further Resolved*, that a copy of this resolution be immediately forwarded to each of our Senators and Representatives in the United States Congress and to the Administrator,

Federal Aviation Administration, Department of Transportation.

The Resolution was accepted and referred to Transportation.

\* \* \*

## RESOLUTION

Reps. Greene and Maloomian offered the following resolutions:

## RESOLUTIONS

*Whereas*, we have learned with regret that the Department of the Army plans to break up the 3rd Battalion 197th Artillery Unit of the New Hampshire National Guard now on duty in South Vietnam, based at Pho Loi, and

*Whereas*, the men of the 197th Artillery accepted their overseas assignment quietly and cheerfully in contrast to many National Guard units, and

*Whereas*, they have worked together as a team, training, living, and fighting for their lives side by side, never complaining of their hardships as long as their unit could stay together, and

*Whereas*, these men of the 197th Artillery have had an outstanding record for their duties performed in Vietnam, which record reflects great credit to the men, their unit, and the State of New Hampshire, therefore be it

*Resolved*, that we, the members of the General Court of New Hampshire do protest any action by the Army to disperse and destroy this 197th Artillery during its overseas assignment and further request that this unit continue to serve as a unit and be returned as such to New Hampshire and not be broken up during this last half of its overseas service, and be it further

*Resolved*, that a copy of these resolutions be transmitted to the members of the New Hampshire Congressional delegation in Washington, to the Department of the Army, and to the Governor and Governor's Council of New Hampshire.

\* \* \*

The Resolution was accepted and referred to Claims.

## COMMUNICATION

Marshall W. Cobleigh  
Speaker of the House of Representatives  
State House  
Concord, N. H.

Dear Marshall,

Will you kindly convey to the members of the House of Representatives my personal thanks and the thanks of my family for the thoughtfulness expressed in the resolution of sympathy on the death of my father.

Sincerely,

s/Robert L. Stark

## SENATE MESSAGE

The Senate refuses to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

HB 61, relative to special number plates for county commissioners.

## FURTHER SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 15, relative to county appropriations for cooperative extension service.

HB 40, relative to the use of deer coupons for the transportation of deer.

HB 43, relative to fish and game licenses for members of armed forces.

HB 45, to prohibit loaded firearms on snow traveling vehicles at any time.

HB 50, relative to carrying fish and game licenses.

HB 31, to provide that appointments to fill vacancies in boards of supervisors of the check-list shall be for the unexpired terms.

## FURTHER SENATE MESSAGE

The Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 3, relative to New England Aeronautical Institute to grant degrees.

\* \* \*

## AMENDMENT

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 New England Aeronautical Institute. Amend section 1, chapter 511, Laws of 1967 by striking out in line three the word "technology" and by striking out in line four the words and figures " from June 1, 1967 through June 30, 1969" so that said section as amended shall read as follows:

511:1 Authority Granted. The New England Aeronautical Institute is hereby authorized to confer upon the graduates therefrom the degree of associate in aeronautical engineering and associate in aeronautical administration.

\* \* \*

On motion of Rep. Greene the House concurred in the Senate amendment.

## SENATE MESSAGE

The Senate has passed the following Bill, in the passage of which it asks the concurrence of the House of Representatives:

SB 60, relative to powers of Belknap College to confer degrees.

Senate bill 60 was read a first and second time and referred to Education.



Rep. Cleon Heald moved that the order whereby HB 198, permitting towns of one thousand population or less to continue burning refuse in public open dumps, and HJR 31, to establish an interim committee to study the pricing and sale of hearing aids, were referred to Public Health and Welfare & Institutions be vacated and that they be referred to Resources, Recreation and Development and spoke in favor of the motion.

Motion adopted by vv.

\* \* \*

Rep. Logan moved that the Rules of the House be so far suspended as to provide that the following list of bills be given a five day extension as provided under House Rule 56 and spoke in favor of the motion.

HB 2, relative to eligibility requirements for welfare benefits and to the duties of the advisory commission of the department of health and welfare.

HB 7, relative to compensation of senate and house clerks and assistant clerks and relative to indexes for journals and session laws.

HB 8, relative to appointment of legislative budget assistant and director of legislative services.

HB 10, relative to registration and operation of snow traveling vehicles.

HB 24, relative to the amount of evidentiary value of blood alcohol content.

HB 62, enacting the Controlled Drug Act.

HB 69, establishing the New London district court.

HB 77, permitting abortion in certain cases.

HB 84, relative to the fiscal committee.

HB 98, relative to absentee voting in municipal elections in Nashua.

The Chair stated that he would entertain a similar motion tomorrow.

Rep. Angus spoke in favor of the motion.

Motion adopted by vv.

On motion of Rep. Stafford the House adjourned from the early session and the Rules were so far suspended as to permit the reading of bills by title only and House Joint Resolutions by caption only, and that when the House adjourns today it be to meet tomorrow at 11:00 o'clock.

### LATE SESSION

### THIRD READING OF BILLS

The following bills were read a third time, passed, and sent to the Senate for concurrence.

HB 85, requiring that a report of bear kill be made to deer receiving stations.

HB 147, relative to the larceny of deer.

HB 186, providing for biennial hearing before fish and game commission.

\* \* \*

SJR 4, making an appropriation to the division of vocational rehabilitation for the balance of the fiscal year ending June 30, 1969 for rehabilitation of persons rejected for military service, was read a third time, passed, and sent to the Secretary of State to be engrossed.

\* \* \*

On motion of Rep. Palmer the House adjourned at 11:53 A.M.

*Thursday, February 6, 1969*

The House met at 11:00 o'clock.

## HOUSE

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

O Heavenly Father, shed forth Thy blessed Spirit richly upon all Members of this Joint Convention. Make each one of us an instrument in Thy hands for good. Purify our hearts; strengthen our minds and bodies; fill us with compassion and concern in the execution of our duties. Let not pride, nor self-conceit, nor rivalry, nor anger, nor irresponsibility spring up among us. Make us sincere and true, just and honest, forgiving and faithful, so that we may be encouraged by Thy Holy Presence and engaged in honoring Thy Divine Purpose. Keep us safe from error as we apply Thy Wisdom in our deliberations. Grant unto us the reward of renewal when we rest from the labors of this day; through the glory of Thy Holy Name. Amen.

## PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Claude Foster led the House in the Pledge of Allegiance to the Flag.

## LEAVES OF ABSENCE

The Derry Delegation was granted leave of absence for the day to attend a funeral.

Rep. Marsh was granted an indefinite leave of absence on account of illness in the family.

Reps. Newell and Cone were granted leave of absence for the day on account of important business.

Rep. Kimball was granted leave of absence for the weeks of February 10th and 17th on account of important business.

\* \* \*

## RESOLUTION

Rep. Logan offered the following resolution:

*Resolved* that, in accordance with the list in the possession of the clerk, House Bills numbered 310 through 322 and 324 and House Joint Resolutions numbered 40 through 43 and Concurrent Resolutions Proposing Constitutional Amendments numbered 14 and 15 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

*Be it further resolved*, that said list be also printed in the journal for today.

\* \* \*

Resolution adopted by vv.

### INTRODUCTION OF BILLS

The following bills, resolutions and constitutional amendments were read a first and second time, laid on the table for printing and referred as follows:

HB 310, exempting bequests and devises to instate charitable organizations from inheritance tax. (Cone of Grafton Dist. 9 — To Ways & Means.)

HB 311, relative to the central New Hampshire turnpike, and making an appropriation therefor. (Davis of Merrimack Dist. 21 — To Public Works.)

HB 312, to extend the appropriation for carrying out projects relative to state parks. (MacKenzie of Cheshire Dist. 16 — To Appropriations.)

HB 313, classifying a certain portion of old route 77 in Hopkinton-Everett flood area as a recreational area. (MacKenzie of Cheshire Dist. 16 — To Public Works.)

HB 314, relative to acquisition of sites for recreational facilities at Lake Winnepesaukee. (MacKenzie of Cheshire Dist. 16 — To Resources, Recreation & Development.)

HB 315, relative to information to be furnished a purchaser of new motor vehicle tires. (Greenwood of Rockingham Dist. 12 — To Transportation.)

HB 316, relative to the appointment of safety inspectors and to the police powers of certain personnel. (Zachos of Hills-

borough Dist. 27, Murphy of Strafford Dist. 18 — To Executive Departments & Administration.)

HB 317, relative to publication of the names of delinquent children who have committed a second offense. (Bennett of Cheshire Dist. 9 — To Judiciary.)

HB 318, relative to dates of service in World War I for qualifying for veterans property tax exemptions. (Rolfe of Strafford Dist. 10 — To Claims, Military & Veterans Affairs.)

HB 319, increasing the salaries of classified employees, temporary and seasonal employees and making an appropriation therefor. (McMeekin of Grafton Dist. 6 — To Executive Departments & Administration.)

HB 320, relating to community mental health programs and state aid therefor. (Nighswander of Belknap Dist. 4 and York of Merrimack Dist. 20 — To Public Works.)

HB 321, relative to the Neil R. Underwood sinking fund. (Weeks of Rockingham Dist. 23 — To Public Works.)

HB 322, relative to inspection of motor vehicles. (Walker of Cheshire Dist. 16 — To Transportation.)

HB 324, relative to the content of permits for driveways. (Davis of Carroll Dist. 2 — To Public Works.)

HJR 40, providing for a special legislative committee to study methods of leasing store operations in state parks. (MacKenzie of Cheshire Dist. 16 — To Legislative Revision.)

HJR 41, providing compensation for seven employees of the racing commission. (Kopperl of Merrimack Dist. 12 — To Claims, Military & Veterans Affairs.)

HJR 42, allowing the use of certain funds of the Nashua vocational-technical institute for purchasing maintenance equipment and outside vehicles. (Belcourt of Hillsborough Dist. 16 — To Education.)

HJR 43, in favor of Ronald C. Broderick of Franconia. (Higgins of Grafton Dist. 2 — To Claims, Military & Veterans Affairs.)

CACR 14, Relating to The power of the state to tax. Providing That the legislature be allowed to impose taxes that are

not proportional. (Raiche of Hillsborough Dist. 34 — To Constitutional Revision.)

CACR 15, Relating to The Terms of Office for Governor, State Senator and State Representative. Providing That: The Governor, the Senate and the House of Representatives shall be chosen quadrennially. (Maloomian of Strafford Dist. 6 & DeCesare of Rockingham Dist. 7 — To Constitutional Revision.)

### COMMITTEE REPORTS

HB 36, establishing a committee to study the model traffic ordinance for municipalities. Rep. Belcourt for Appropriations. Ought to pass with amendment.

### AMENDMENT

Amend House Bill 36 by striking out section 4 and inserting in place thereof the following:

4 Report. Said committee shall file its report with the legislative services office prior to December 1, 1970.

Further Amend House Bill 36 by striking out section 5 and inserting in place thereof the following:

5 Appropriation. There is hereby appropriated the sum of five thousand dollars to be expended by said committee for mileage and expenses of the committee, for necessary expenses, including but not limited to the employment of consultants and professional assistants, in connection with the purposes of this act, and for payment of any matching funds required in order to secure federal funds for the purposes hereof. The funds hereby appropriated shall be a charge against the highway fund and shall be in addition to any other funds received for purposes of this act.

Rep. Belcourt explained the amendment.

Amendment adopted and the bill was ordered to a third reading by vv.

SB 3, requiring that copies of federal audits be filed with the legislative budget assistant. Rep. Goff for Appropriations. Ought to pass.

Ordered to third reading by vv.



HB 55, authorizing White Pines College to grant associate degrees. Rep. Dunham for Education. Ought to pass with amendment.

### AMENDMENT

Amend section 1 of the bill by striking out in lines eight, nine, and ten the words "and to give customary honorary recognition to outstanding individuals for noteworthy achievement during that period" and inserting in place thereof the words (provided that it receives the approval of the coordinating board of advanced education and accreditation) so that said section as amended shall read as follows:

1 White Pines College. White Pines College, a voluntary corporation formed under the provisions of RSA 292 and carrying on its activities in the town of Chester, is hereby authorized and empowered to establish and maintain in said town an institute of learning to be known as White Pines College, to prescribe the rules for the government of said college and the courses of studies to be pursued therein, and to confer upon graduates thereof the degree of associate of arts to the qualifying candidates for the period from June 1, 1969, through June 30, 1971, provided that it receives the approval of the coordinating board of advanced education and accreditation.

\* \* \*

Amendment adopted and the bill was ordered to a third reading by vv.

HB 156, increasing fees of agents for issuance of fish and game licenses. Rep. Huggins for Fish and Game. Ought to pass with amendment.

### AMENDMENT

Amend section 5 of said bill by striking out the same and inserting in place thereof the following:

5 Effective Date. This act shall take effect January 1, 1970.

\* \* \*

Amendment adopted and the bill was ordered to a third reading by vv.

HB 168, relative to the issuance of special fishing permits by certain state institutions. Rep. Huggins for Fish and Game. Ought to pass with amendment.

### AMENDMENT

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Veterans Hospitals; Crotched Mountain Rehabilitation Center. Amend RSA 214:14 as amended by 1963, 88:1 by striking out said section and inserting in place thereof the following: 214:14 Patients at Veterans Hospitals; Crotched Mountain Rehabilitation Center. Patients of the veterans hospitals at White River Junction, Vermont and Manchester, New Hampshire, and the Crotched Mountain Rehabilitation Center at Greenfield, New Hampshire, may fish without a license on a special permit issued by the doctor in charge when such form of recreation may be of therapeutic benefit to such patients, provided that no such special permit shall be valid for a period longer than the length of residency at the hospital of the patient to whom the special permit is issued. Patients fishing under the provisions of this section shall be under the direct supervision of the recreation supervisor, or his designate, of said hospitals. The fish and game director shall furnish permit forms to said hospitals at their request, to be filled out when issued. The number of permits shall be reported to the director once each year as he shall direct.

\* \* \*

Amendment adopted and the bill was ordered to a third reading by vv.

HB 35, amending the reckless driving statute. Rep. Radway for Judiciary. Ought to pass with amendment.

### AMENDMENT

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Reckless Driving. Amend RSA 262-A:61, as inserted by 1963, 330:1, by striking out said section and inserting in place thereof the following:

## 262-A:61 Reckless Driving; Penalty.

I. Reckless Driving. Any person shall be guilty of reckless driving who:

(a) operates a vehicle upon any way in wilful or wanton disregard of the rights or safety of others, in a manner so as to endanger, a person or property, or

(b) operates a vehicle upon any way upon a bet, wager, or race, or

(c) operates a vehicle upon any way for the purpose of making a record.

II. Reckless Driving Death Resulting. Any person shall be guilty of a felony who operates a vehicle in a reckless manner as set forth in paragraph I of this section and death results from said reckless operation. The provisions of this paragraph shall not be construed to limit or restrict prosecution for manslaughter.

III. Penalties. Any person who violates:

(a) Paragraph I of this section shall be fined not more than two hundred dollars, or imprisoned for not more than sixty days, or both; and for a second offense he shall be fined not more than five hundred dollars, or imprisoned for not more than three months, or both;

(b) Paragraph II of this section shall be fined not more than one thousand dollars, or imprisoned not more than five years, or both.

\* \* \*

Rep. Williamson moved that HB 35 be laid on the table and taken up later on today.

Motion adopted by vv.

HB 157, relative to carrying loaded pistols or revolvers in motor vehicles. Rep. Buckman for Judiciary. Inexpedient to legislate.

Resolution adopted by vv.

HB 158, repealing the provisions of the act relative to subversive activities. Rep. Griffin for Judiciary. Inexpedient to legislate.

Resolution adopted by vv.

HB 151, to establish a state liquor store in the town of Raymond. Rep. Collishaw for Liquor Laws. Ought to pass with amendment.

### AMENDMENT

Amend section 1 of said bill by striking out the words "except that the limitations relative to location contained in section 1 shall not apply" so that said section as amended shall read as follows:

1 State Liquor Store. In addition to other state liquor stores established by the state liquor commission under RSA 177:1 the commission is directed to lease and equip in the name of the state a state liquor store in the town of Raymond. The operation of the store shall be governed by the provisions of RSA 177.

\* \* \*

Amendment adopted and the Chair referred HB 151 to Appropriations under the Rules.

HB 12, relative to recording copies of plans. Rep. Hanson for Municipal and County Government. Inexpedient to legislate.

Resolution adopted by vv.

HB 13, relative to recording plats of individual plots. Rep. Hanson for Municipal and County Government. Inexpedient to legislate.

Resolution adopted by vv.

HB 222, relative to the timing of county audits by the tax commission and relative to certain expenses of municipal audits. Rep. Burke for Municipal and County Government. Ought to pass.

Ordered to third reading by vv.

HB 223, changing the word "invoice" to inventory in relation to taxation of property. Rep. Burke for Municipal and County Government. Ought to pass.

Ordered to third reading by vv.

HB 234, to abolish the water commission in the town of Derry and transfer its functions to the selectmen. Rep. Gaffney for Municipal and County Government. Ought to pass.

Ordered to third reading by vv.

HB 35, amending the reckless driving statute. Rep. Radway for Judiciary. Ought to pass with amendment.

Rep. Zachos moved that HB 35 with amendment as printed above be removed from the table.

Motion adopted by vv.

At the request of Rep. Williamson, Rep. Zachos explained the bill.

(discussion ensued)

Amendment adopted and the bill was ordered to a third reading by vv.

\* \* \*

Rep. Hussey introduced the following Resolution:

### RESOLUTION

A resolution to register support for the initiative and stand taken by the New England Congressional Delegation in its support for a proposed United States Interior Department regulation that would permit oil refineries to be established in Foreign Trade Zones.

*Resolved* by the House of Representatives in General Court convened:

*Whereas*, we in the State of New Hampshire, as do the other States of New England, find ourselves subjected to the inconsistencies of a controlled, non-competitive petroleum market.

*Whereas*, we cannot bring in foreign crude oil and we are far from domestic crude oil sources. We in New England have no refineries. And we are unlikely to ever have any under present restrictive Federal policies.

*Whereas*, the economies of the New England States, including that of New Hampshire, need and would benefit from the establishment of an oil refinery and Free Trade Zone such as one proposed for the Machiasport, Maine Area.

*Now, therefore, be it resolved:*

1. That we of the House of Representatives of the State of New Hampshire place ourselves in support of the intentions and aims of the New England Congressional Delegation that would bring about regulations that would make the above establishments possible.

2. That we urge the Department of the Interior to institute regulations that would permit oil refineries to be established in Foreign Trade Zones. Be it further specified that we support the institution of regulations such as those that exist in "Proposal A" as pointed out in the New England Congressional Delegation's letter of January 9, 1969 to Mr. Elmer L. Hoehn, Oil Import Administrator, of the U. S. Department of the Interior.

\* \* \*

The Chair referred the resolution to committee on Public Works.

Rep. Clafin moved that the Rules of the House be so far suspended as to permit HB 9, requiring that petitioners for approval to excavate, fill or dredge in or adjacent to tidal waters pay hearing expenses, be given a six day extension as provided under House Rule 56 and spoke in favor of the motion.

Motion adopted by vv.

\* \* \*

### COMMITTEE OF CONFERENCE REPORT ON JOINT RULES

Rep. Zachos moved that the report be adopted.

Motion adopted by vv.

\* \* \*

Rep. Greene moved that the Rules of the House be so far suspended as to dispense with the requirement to hold a second public hearing on HB 276, relative to the power of Franconia College to grant degrees, and spoke in favor of the motion.

Motion adopted by vv.



Rep. Shirley Clark moved that the Rules of the House be so far suspended as to dispense with public hearing on HB 274, covering into the state personnel system certain non-academic employees of the University of New Hampshire and the state colleges, and spoke in favor of the motion.

Motion adopted by vv.

\* \* \*

Rep. Shirley Clark moved that the order whereby HB 297, relative to general housekeeping changes in the laws concerning the state board of education, was referred to Executive Departments and Administration be vacated and the bill referred to Education, and spoke in favor of the motion.

Motion adopted by vv.

\* \* \*

#### SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 38, increasing the fee for non-resident hunting licenses.

HB 39, relative to the penalty for misuse of fish and game licenses.

#### FURTHER SENATE MESSAGE AND INTRODUCTION OF A SENATE BILL

The Senate has passed the following entitled bill, in the passage of which it asks the concurrence of the House of Representatives:

SB 16, relative to registration as an independent.

SB 16, was read a first and second time and referred to Constitutional Revision.

\* \* \*

#### ENGROSSED BILLS COMMITTEE REPORT

The Committee on Engrossed Bills have examined and

found correctly engrossed the following entitled House Bill and Senate Joint Resolution:

HB 3, An Act relative to New England Aeronautical Institute to grant degrees.

SJR 4, Joint Resolution making an appropriation to the division of vocational rehabilitation for the balance of the fiscal year ending June 30, 1969 for rehabilitation of persons rejected for military service.

Roxie Forbes  
for the Committee

\* \* \*

### COMMUNICATION

United States Senate  
Washington, D. C.  
February 3, 1969

Honorable Marshall Cobleigh, Speaker  
House of Representatives  
State House  
Concord, New Hampshire

Dear Mr. Speaker:

It was a gracious gesture for the House of Representatives, at the suggestion of the Lebanon delegation, to adopt a Resolution of sympathy and good wishes and transmit it to Mrs. Cotton.

Ruth and I felt honored and most appreciative and hope that you will express our thanks.

With warm regards and every good wish,

Sincerely,

Norris Cotton

### ELECTION OF ACTING ASSISTANT CLERK

Rep. Gelt nominated Paul Brown from Derry as Acting Assistant Clerk.

Rep. Raiche nominated Raymond MacEachern from Portsmouth.

Rep. Leo Dion moved nominations be closed.

Motion adopted by vv.

The Chair appointed Reps. Coutermarsh and MacKenzie as Tellers.

Rep. O'Neil offered the following resolution and spoke in favor of the resolution.

### RESOLUTION

*Resolved, that* J. Elmer Harrington be awarded additional compensation of \$200 for his services during the period that the post of assistant clerk was vacant.

Rep. Cares spoke in favor of the motion.

Motion adopted by vv.

\* \* \*

### COMMITTEE ASSIGNMENT

Rep. Tracey was appointed to the committee on the Journal in place of Rep. Downing.

\* \* \*

On motion of Rep. Stafford the House adjourned from the early session and the Rules of the House were so far suspended as to permit the reading of bills by title only and that when the House adjourns today it be to meet Tuesday next at 11:00 o'clock.

### LATE SESSION

#### THIRD READING OF BILLS

The following bills were read a third time, passed, and sent to the Senate for concurrence.

HB 36, establishing a committee to study the model traffic ordinance for municipalities.

HB 55, authorizing White Pines College to grant associate degrees.

HB 156, increasing fees of agents for issuance of fish and game licenses.

HB 168, relative to the issuance of special fishing permits by certain state institutions.

HB 35, amending the reckless driving statute.

HB 222, relative to the timing of county audits by the tax commission and relative to certain expenses of municipal audits.

HB 223, changing the word "invoice" to inventory in relation to taxation of property.

HB 234, to abolish the water commission in the town of Derry and transfer its functions to the selectmen.

SB 3, requiring that copies of federal audits be filed with the legislative budget assistant, was read a third time, passed and sent to the Secretary of State to be engrossed.

\* \* \*

### QUALIFIED

Rep. George W. White, Sr. appeared before His Excellency Governor Peterson and was sworn in as Representative from Atkinson.

\* \* \*

Rep. Trowbridge moved that the Rules of the House be so far suspended as to permit HB 88, providing for minimum annual allocation of road toll funds for the construction and maintenance of class IV and class V Highways, be given a six day extension as provided under House Rule 56 and spoke in favor of the motion.

Motion adopted by vv.

\* \* \*

Rep. Shirley Clark moved that the Rules of the House be so far suspended as to permit HB 126, reducing the basic work week of law enforcement employees to forty hours, HB 124, covering into the state personnel system certain non-academic employees of the University of New Hampshire and the state college, HB 119, to improve management-employee relations in state employment, and HB 132, relating to state employees group insurance, be given a six day extension as provided under House Rule 56 and spoke in favor of the motion.

Motion adopted by vv.

Rep. Morrill moved that the Rules of the House be so far suspended as to permit HB 141, providing for the reporting of all serious accidents to local police authority, and prohibiting wrecker devices from removing vehicles involved in accidents before police have been called, be given a six day extension as provided under House Rule 56, and spoke in favor of the motion.

Motion adopted by vv.

\* \* \*

The Speaker announced the results of the voting for acting Assistant Clerk as follows: 203 votes for Paul Brown and 128 votes for Raymond McEachern. Paul Brown being duly elected acting assistant clerk.

\* \* \*

On motion of Rep. Montplaisir the House adjourned at 12:30 o'clock.

---

*Tuesday, February 11, 1969*

(Rep. Logan in the Chair)

The House met at 11:00 o'clock.

#### HOUSE

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

Almighty God, who art beyond the reach of our highest thought, and yet within the heart of the lowliest; we pray Thee to come to us in all the beauty of light, in all the tenderness of love, in all the liberty of truth, and make Thyself known to us. Mercifully help us in our struggle for truth; encourage us in our every effort to be true, loyal, and loving; to do justly, to love mercy, and to walk humbly with Thee. Sanctify all our desires and purposes for good government, and upon each

Member of this Joint Convention let Thy blessing rest, in the Name of Jesus Christ, our Lord. Amen.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Bigelow led the House in the Pledge of Allegiance to the Flag.

### LEAVES OF ABSENCE

Reps. Harold Drew, Barbara Thompson, Lang and Rolfe were granted leave of absence for the day on account of illness.

Rep. Ernest Clark was granted leave of absence for the week on account of illness.

Reps. Weilbrenner, Goode, Levesque and Donald Welch were granted leave of absence for the day on account of important business.

Rep. Brown was granted leave of absence for the day on account of the weather.

Rep. Vallee was granted leave of absence for today and Wednesday on account of important business.

(Rep. O'Neil in the Chair)

Rep. O'Neil announced that John Drabinowicz was a guest of the House, courtesy of Rep. Drabinowicz.

\* \* \*

### RESOLUTION

Rep. McMeekin offered the following resolution:

*Resolved* that, in accordance with the list in the possession of the clerk, House Bills numbered 325 through 337 and House Joint Resolution numbered 44 and Concurrent Resolution Proposing Constitutional Amendment numbered 17 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

Be it further resolved, that said list be also printed in the journal for today.

Resolution adopted by vv.



## INTRODUCTION OF BILLS

The following bills, resolutions and constitutional amendments were read a first and second time, laid on the table for printing and referred as follows:

HB 325, to create a temporary position of account clerk III at the New Hampshire hospital and making an appropriation therefor. (MacDonald of Merrimack 25 — To Appropriations.)

HB 326, to reclassify certain sections of highways in the town of Campton. (Mitchell of Grafton 19 — To Public Works.)

HB 327, relative to toll-free use of certain New Hampshire highways by members of the general court. (Boisvert, Hillsborough 20 — To Legislative Revision.)

HB 328, relative to approval of bonds of town clerks. (Allan of Belknap 2 — To Municipal & County Government.)

HB 329, relative to purchase of registered mail insurance by the state treasurer. (Junkins of Rockingham 16 — To Banks & Insurance.)

HB 330, relative to the investment of state funds by the state treasurer. (Junkins of Rockingham 16 — To Appropriations.)

HB 331, relating to the improvement of Rye Harbor. (Junkins of Rockingham 16 — To Public Works.)

HB 332, redefining earnable compensation under the teachers' retirement system. (Hanson of Merrimack 6 — To Appropriations.)

HB 333, relative to certain changes in the New Hampshire retirement system and state employees' retirement system. (Hanson of Merrimack 6 — To Appropriations.)

HB 334, relative to application of old age and survivors insurance relative to officials of political subdivisions. (Bednar of Hillsborough 23 — To Municipal & County Government.)

HB 335, restructuring the department of resources and economic development. (MacKenzie of Cheshire 16, Coutermarsh of Hillsborough 22 — To Executive Departments & Adm.)

HB 336, to protect patient's confidential communications to psychiatrists and other psychotherapists. (McLane of Merrimack 23 — To Judiciary.)

HB 337, relative to the continuation of the Spaulding Turnpike to Berlin and making an appropriation therefor. (Brungot of Coos 8, Fortier of Coos 10, Davis of Carroll 2, Roberts of Carroll 2, Studd of Coos 7 — To Public Works.)

HJR 44, relative to a special joint committee to study the management and use of state-owned motor vehicles. (Fuller of Merrimack 26, Sweeney of Hillsborough 36 — To Public Works.)

CACR 17, Relating to The Size of the House of Representatives. Providing that: The General Court shall Establish the Size of the House of Representatives Every Ten Years When Making an Apportionment of Representatives According to the General Census. (Cares of Hillsborough 24 — To Constitutional Revision.)

### COMMITTEE REPORTS

SB 6, repealing inspections of milk and cream; the licensing of dealers, and the establishment of certain measures of milk. Rep. Fernald for Agriculture. Ought to pass.

At the request of Rep. deBlois, Rep. Underwood answered questions.

Ordered to third reading by vv.

SB 19, to eliminate certain duties of the commissioner of agriculture. Rep. Fernald for Agriculture. Ought to pass.

Ordered to third reading by vv.

SB 32, to require biennial reports by the commissioner of agriculture to the governor and council. Rep. Fernald for Agriculture. Ought to pass.

Ordered to third reading by vv.

HB 235, requiring public hearing before increasing motor vehicle insurance rates. Rep. Lang for Banks and Insurance. Inexpedient to legislate.

Resolution adopted by vv.

CA-CR 2, proposing constitutional amendments relating to: Methods of proposing constitutional Amendments. Providing that: Approval by two biennial assemblies of the General Court before a question may be submitted to voters. Rep. Aucella for Constitutional Revision. Inexpedient to legislate.

Resolution adopted by vv.

SB 7, relative to the use of the senate and house chambers, anterooms and cloakrooms. Rep. Mackintosh for Legislative Revision. Inexpedient to legislate. SB 7 was withdrawn by committee.

HB 4, relative to referral of matters to the legislative council. Rep. Mackintosh for Legislative Revision. Ought to pass.

Ordered to third reading by vv.

HB 226, to provide for the pre-filing of bills with the director of legislative services. Rep. Mackintosh for Legislative Revision. Ought to pass.

Ordered to third reading by vv.

HB 87, relative to the distribution to and counting of ballots in additional polling places. Rep. Hanson for Municipal and County Government. Ought to pass with amendment.

#### AMENDMENT

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2 Time for Sealing Check-lists and Ballots. Amend RSA 59:49 by striking out said section and inserting in place thereof the following: 59:49 Sealing Check-lists and Ballots. Before the polls are opened at the central polling place on the day of the general election the town clerk shall seal up the duplicate copies of the check-list for each additional polling place, lodged with him by the supervisors, with a number of blank ballots equal to the number of voters on such check-list and fifty additional ballots. This package shall be prepared and sealed in the presence of the moderator and selectmen and deliver to the assistant town clerk of the polling place to which it is to be conveyed, who shall be of different political parties, and who shall carry the same to such polling place with all reasonable speed.

Amend section 3 of said bill by striking out the same and inserting in place thereof the following:

3 Assistant Moderator's Authority. Amend RSA 59:51 by striking out said section and inserting in place thereof the following: 59:51 Return of Ballots and Check-lists. Upon closing the polls at an additional polling place the assistant moderator shall, in the presence of the inspectors of election, tabulate the ballots which have been deposited in the box at the said additional polling place. The assistant town clerk at such polling place shall certify that such action was proper. The assistant moderator shall seal up the duplicate check-lists used at such polling place, together with the spoiled and unused ballots, and send the same and the ballot box containing the tabulated ballots to the moderator of the town at the central polling place by the assistant moderator and assistant town clerk, who shall be of different political parties, and who shall deliver the same without unnecessary delay, at the central polling place.

Amend section 4 of said bill by striking out the same and inserting in place thereof the following:

4 Counting at Additional Polling Places. Amend RSA 59:52 by striking out said section and inserting in place thereof the following: 59:52 Counting. Notwithstanding RSA 56:69 the ballots at the additional polling places shall be counted by the assistant moderator. Any of the four inspectors of election or the assistant town clerk may at any time during the counting, inspect the ballots as they are being counted by the assistant moderator. The counting shall be public, and may be at either the central polling place or the additional polling place, but if done at the additional polling place, it shall be within the guard-rail, and shall not be adjourned nor postponed until it shall have been completed, and the whole number of ballots cast for each person and on each question submitted to the voters shall have been announced publicly. While being counted no ballot shall be placed within four feet of the guard-rail which forms the enclosure in which the counting is done; and during such time only the aforesaid officers shall be allowed within said enclosure. After the ballots have been counted and the results announced, the ballots and the tabulation of such shall be sent to the moderator at the central polling place. The moderator shall combine the tabulations of the additional polling places with those ballots cast at the central polling place and

shall announce the result of the ballot of the entire town as if all the ballots had been cast and tabulated at the central polling place.

Amend section 5 of said bill by striking out the same and inserting in place thereof the following:

5 Effective Date. This act shall take effect upon its passage.

\* \* \*

Rep. McMeekin moved that HB 87 be recommitted to Municipal and County Government and spoke in favor of the motion.

Motion adopted by vv.

HB 14, to prohibit certain promotional games. Rep. Shirley for Statutory Revision. Inexpedient to legislate.

Rep. Chris Andersen moved that the words, ought to pass, be substituted for the report of the committee, inexpedient to legislate, and spoke in favor of the motion.

Reps. McMeekin and Shirley spoke against the motion.

Rep. Stafford spoke in favor of the motion.

(discussion ensued)

Rep. Stevenson moved that HB 14 be recommitted to committee on Statutory Revision and spoke in favor of the motion.

(discussion ensued)

Rep. Shirley spoke against the motion.

## PARLIAMENTARY INQUIRY

Rep. McMeekin rose on a point of Parliamentary Inquiry.

The Chair stated that unless otherwise stated by the Speaker, that when a bill is recommitted it starts a new fifteen day procedure being recommitted to committee.

Rep. Chris Andersen spoke in favor of the motion.

Motion adopted by vv.

HB 154, relative to abandoned or neglected cemetery lots. Rep. Shirley for Statutory Revision. Ought to pass with amendment.

### AMENDMENT

Amend paragraphs I and II of RSA 289:19 as inserted by section 1 of said bill by striking out said paragraphs and inserting in place thereof the following:

I. "Cemetery" shall mean any public cemetery owned, managed, or controlled by any city or town within this state or by any voluntary corporation organized for the purpose of operating a cemetery for the benefit of the public.

II. "Cemetery board" shall mean any board, trustee or public official or officials invested by law with the duty of managing or controlling any cemetery or any board or trustees managing or controlling a cemetery owned, by a voluntary corporation.

\* \* \*

Rep. Brungot moved that HB 154 be recommitted to Statutory Revision and spoke in favor of the motion.

Motion adopted by vv.

HB 123, relative to rules and regulations of state departments and agencies and filing thereof. Rep. Shirley for Statutory Revision. Ought to pass.

Ordered to third reading by vv.

HB 208, prohibiting certain use of vital statistics records. Rep. Shirley for Statutory Revision. Inexpedient to legislate.

Rep. Hayes moved that the words ought to pass, be substituted for the report of the committee, inexpedient to legislate, and spoke in favor of the motion.

(discussion ensued)

Rep. MacDonald spoke in favor of the motion.

Rep. Shirley spoke against the motion.

On a vv the Chair was in doubt and requested a division.

115 members having voted in the affirmative and 177 in the negative the motion to substitute was lost.



The question now being on the adoption of the committee report, inexpedient to legislate.

Resolution adopted by vv.

HB 230, correcting certain technical errors in the chapter on taxes on transfer of real property. Rep. Shirley for Statutory Revision. Ought to pass.

Ordered to third reading by vv.

\* \* \*

### RECONSIDERATION

Rep. Greene, having voted with the majority, moved that the House reconsider its action whereby it killed HB 235 and spoke in favor of the motion

Rep. Nixon spoke in favor of the motion.

Rep. Bigelow spoke against the motion.

(discussion ensued)

Rep. Coutermarsh spoke against the motion.

(discussion ensued)

Rep. Bridges, Maloomian and Vachon spoke in favor of the motion.

At the request of Rep. Roberts, Rep. Bigelow answered questions.

Motion adopted by vv.

Rep. Nixon moved that the words, ought to pass, be substituted for the committee report, inexpedient to legislate, and spoke in favor of the motion.

(discussion ensued)

Reps. Mackintosh and Bigelow spoke against the motion.

(discussion ensued)

Rep. Bridges spoke in favor of the motion.

Rep. Brummer moved the previous question and it was sufficiently seconded.

Motion adopted by vv, and HB 235 was ordered to a third reading.

\* \* \*

Rep. Claflin asked the permission of the House to permit HB 152, to prohibit the construction or conversion of structures built over the waters of the state for the purpose of dwelling therein, to be granted a six day extension as provided under House Rule 56.

Permission granted.

### COMMITTEE ASSIGNMENT

The Chair announced the appointment of Rep. Varrill of Exeter to the committee on Fish and Game.

### SENATE MESSAGE

The Senate refuses to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

HB 29, repealing the provisions for special number plates for motor vehicles of citizens band radio operators.

### FURTHER SENATE MESSAGE

The Senate has passed the following resolutions, to meet at 11 a.m. Thursday, Feb. 13th in Joint Convention for Governor's Budget Message.

### FURTHER SENATE MESSAGE

The Senate has passed the following resolution, that the Black Books be printed immediately without containing the Joint Rules (at this time).

### REPORT OF COMMITTEE ON ENGROSSED BILLS

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House bills and Senate Bill:

HB 15, An Act relative to county appropriations for co-operative extension service.

HB 31, An Act to provide that appointments to fill vacancies in boards of supervisors of the check-list shall be for the unexpired terms.

HB 38, An Act increasing the fee for non-resident hunting licenses.

HB 39, An Act relative to the penalty for misuse of fish and game licenses.

HB 40, An Act relative to the use of deer coupons for the transportation of deer.

HB 43, An Act relative to fish and game licenses for members of armed forces.

HB 45, An Act to prohibit loaded firearms on snow traveling vehicles at anytime.

HB 50, An Act relative to carrying fish and game licenses.

SB 3, An Act requiring that copies of federal audits be filed with the legislative budget assistant.

Roxie A. Forbes  
for the Committee

## RESOLUTION

Rep. Sterling moved that the House meet in Joint Convention at 11:00 o'clock Thursday, February 13th to receive the Budget Message from his Excellency the Governor.

\* \* \*

On motion of Rep. Stafford the House adjourned from the early session and the Rules of the House were so far suspended as to permit the reading of bills by title only and that when the House adjourns today it be to meet tomorrow at 11:00 o'clock.

## LATE SESSION

### THIRD READINGS

The following Senate Bills were read a third time, passed, and sent to the Secretary of State to be engrossed.

SB 6, repealing inspections of milk and cream; the licensing of dealers, and the establishment of certain measures of milk.

SB 19, to eliminate certain duties of the commissioner of agriculture.

SB 32, to require biennial reports by the commissioner of agriculture to the governor and council.

The following House Bills were read a thrid time, passed, and sent to the Senate for concurrence.

HB 4, relative to referral of matters to the legislative council

HB 226, to provide for the pre-filing of bills with the director of legislative services.

HB 123, relative to rules and regulations of state departments and agencies and filing thereof.

HB 230, correcting certain technical errors in the chapter on taxes on transfer of real property.

HB 235, requiring public hearing before increasing motor vehicle insurance rates.

### RECONSIDERATION

Rep. Nixon having voted with the majority, moved that the House reconsider its action whereby it passed HB 235 and spoke against the motion.

Motion lost by vv.

\* \* \*

The Chair announced that today is the 32nd Wedding Anniversary of Rep. and Mrs. Maloomian.

On motion of Rep. Greene the House adjourned at 1:30 P. M.

*Wednesday, February 12, 1969*

The House met at 11:00 o'clock.

## HOUSE

Prayer was offered by House Chaplain William L. Shater of Chichester as follows:

O Father of Eternal Wisdom and Truth, who has, through the years, showered our land with the memories of those who have defended our liberties and preserved our Union; continue Thy blessing upon these laborers in the vineyard of democracy. Let us be ever thankful for the memory of Abraham Lincoln upon this day of his birth — inspire us to reaffirm and continually keep his pledge — “that this nation, under God, shall have a new birth of freedom, and that the government of the people, by the people, and for the people, shall not perish from the earth.”\* To this end may we be ever faithful to the responsibilities of our elected offices, serving with honor as we preserve freedom’s holy light, and pledging anew our love for Thee as we strive for peace. Amen.

(\*excerpt from Lincoln’s “Gettysburg Address”).

## PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Andrews led the House in the Pledge of Allegiance to the Flag.

## LEAVES OF ABSENCE

Rep. Chris Andersen was granted leave of absence for the day on account of important business.

His Excellency the Governor and Acting President of the Senate, Senator Bradshaw appeared before the House with the Hon. Louis E. Wyman and James Cleveland. The Chair introduced Congressman Wyman who addressed the House briefly and the Chair also introduced Congressman Cleveland who addressed the House briefly.

## RESOLUTION

Rep. McMeekin offered the following resolution:

*Resolved* that, in accordance with the list in the possession of the clerk, House Bills numbered 338 through 351 and House

Joint Resolutions numbered 45 through 49 and Concurrent Resolutions Proposing Constitutional Amendments numbered 18 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

Be it further resolved, that said list be also printed in the journal for today.

\* \* \*

Resolution adopted by vv.

### INTRODUCTION OF BILLS

The following bills, resolutions and constitutional amendments were read a first and second time, laid on the table for printing and referred as follows:

HB 338, relative to the assessment of a poll tax for state and local purposes to replace the head tax. (Bednar of Hillsborough 23 — To Ways and Means.)

HB 339, increasing the tobacco tax for the purpose of reducing tuition at the university of New Hampshire. (Murphy of Strafford 18 — To Ways and Means.)

HB 340, establishing an office of consumer counsel in the office of the governor, and making an appropriation therefor. (Wallin of Hillsborough 14 & Tarr of Merrimack 28 — To Executive Departments and Administration.)

HB 341, relative to counsel fees and interest in workmen's compensation cases. (Nixon of Hillsborough 5 — To Labor.)

HB 342, relative to the credibility of a witness who has been convicted for a crime. (Nixon of Hillsborough 5 — To Judiciary.)

HB 343, relative to the burden of proof in actions for a declaratory judgment concerning insurance coverage. (Nixon of Hillsborough 5 — To Banks and Insurance.)

HB 344, exempting the Hampton Municipal Development Authority from the provision of the statute relative to excavating or dredging in tidal waters. (Casassa of Rockingham 20 & Urie of Belknap 1 — To Resources, Recreation & Development.)



HB 345, relative to awards for back injuries in workmen's compensation cases. (Nixon of Hillsborough 5 — To Labor.)

HB 346, transferring the chairmanship of the council on resources and development to the commissioner of resources and economic development. (MacKenzie of Cheshire 16 — To Executive Departments and Administration.)

HB 347, relative to taxation of real estate separate from ore, sand, gravel, loam or similar substances. (Hanson of Merrimack 6 — To Ways and Means.)

HB 348, to amend the charter of Kimball Union Academy. (Eastman of Rockingham 16 — To Education.)

HB 349, to establish the unclassified position of assistant commissioner of safety and making an appropriation therefor. (Allan of Belknap 2 — To Executive Departments and Administration.)

HB 350, relative to benefit eligibility conditions under the employment compensation law. (Walsh of Hillsborough 31 — To Labor.)

HB 351, to provide for absentee ballot voting in primary elections. (Spaulding of Hillsborough 12, Johnson of Cheshire 1 & Andrews of Merrimack 1 — To Constitutional Revision.)

HJR 45, appropriating funds to contribute to the operating expenses of the New Hampshire network, including educational television stations. (Johnson of Grafton 9 & Wallin of Hillsborough 14 — To Appropriations.)

HJR 46, establishing an interim commission to study the laws of eminent domain and making an appropriation therefor. (Zachos of Hillsborough 27 — To Public Works.)

HJR 47, in favor of Mount Washington Observatory. (Howard of Carroll 1 — To Appropriations.)

HJR 48, in favor of Robert Brodeau. (D'Amante of Sullivan 5 — To Claims.)

HJR 49, to reimburse Robert E. Cross for loss of his automobile. (Healy of Hillsborough 32 — To Claims.)

CA-CR 18, Relating to: Compensation of the Legislature. Provided that: Each General Court shall Determine the Compensation to be Paid to the Succeeding General Court and Legis-

tors shall be Allowed their Reasonable and Necessary Expenses. (Cares of Hillsborough 24 & Splaine of Rockingham 28 — To Constitutional Revision.)

## RECONSIDERATION

Rep. Newell, having voted with the majority, served notice that today or some subsequent day he would ask for reconsideration of CA-CR 2, proposing constitutional amendments relating to methods of proposing constitutional amendments.

\* \* \*

## COMMITTEE REPORTS

HB 187, relative to acceptance of federal funds by fish and game department. Rep. Ballam for Appropriations. Ought to pass with amendment.

## AMENDMENT

Amend House Bill No. 187 by striking out section 1 and inserting in place thereof the following:

1 Fish and Game Department Authorized to Receive Federal Funds, Amend RSA 206 by inserting after section 38 the following new section: 206:39 Federal Funds. The department of fish and game is authorized to receive and expend, with the approval of governor and council, any gifts and grants from any source including the United States of America and to hold property, real and personal, acquired thereunder to complete any project authorized under the provisions of this title.

\* \* \*

Amendment adopted and the bill was ordered to a third reading by vv.

SB 48, directing the comptroller to prepare the biennial budget for the supreme court. Rep. Ferguson for Appropriations. Ought to pass.

Ordered to third reading by vv.

HJR 25, making an additional appropriation for fiscal 1969 to continue printing of the market bulletin. Rep. Ballam for Appropriations. Ought to pass.

Ordered to third reading by vv.

HB 63, providing that all court terms in Grafton County shall be held at Woodsville. Rep. Phil Bennett for the Grafton County Delegation. Ought to pass with amendment.

### AMENDMENT

Amend the title of said bill by striking out the same and inserting in place thereof the following:

#### An Act

relative to court terms in Grafton county.

Amend said bill by striking out everything after the enacting clause and inserting in place thereof the following:

1 Superior Court. Amend RSA 496:1 as amended by 1965, 41:1 and 1967, 59:1 by striking out said section and inserting in place thereof the following: 496:1 Time; Place. Terms of the superior court shall be holden annually, at the following places in the following counties:

For the county of Rockingham: At Exeter.

For the county of Strafford: At Dover.

For the county of Belknap: At Laconia.

For the county of Carroll: At Ossipee.

For the county of Merrimack: At Concord.

For the county of Hillsborough: At Manchester and Nashua.

For the county of Cheshire: At Keene.

For the county of Sullivan: At Newport.

For the county of Grafton: At Woodsville in the Town of Haverhill and at Lebanon until such time as a new court house is constructed in Haverhill.

For the county of Coos: At Lancaster and Berlin. The times for holding the terms of court at the places designated in each county shall be established by rule of the superior court, which shall provide for the holding of not less than two terms annually in each county.

2 Probate Court. Amend RSA 549:9 by striking out said section and inserting in place thereof the following: 549:9 Grafton. For the county of Grafton, — at Woodsville, on the first Tuesday of each month except August.

3 Effective Date. This act shall take effect January 1, 1970.

\* \* \*

Amendment adopted and the bill was ordered to a third reading by vv.

HJR 8, to fund a nursing education aid program. Rep. Goodrich for Public Health, Welfare & State Institutions. Ought to pass with amendment.

#### AMENDMENT

Amend the third whereas clause by striking out said clause and inserting in place thereof the following:

*Whereas*, in order to attract new students into the field of nursing it is necessary to offer grants and to advertise the curriculum, now therefore be it

Amend the joint resolution after the resolving clause by inserting in line twelve after the word "personnel" the words (and other incidental expenses) so that said resolution as amended shall read as follows:

The sum of one hundred twenty-five thousand dollars is appropriated for the fiscal year ending June 30, 1970 and the same amount is appropriated for the fiscal year ending June 30, 1971 to subsidize hospital diploma schools of nursing in the state, including the New Hampshire hospital school of nursing, for the education of persons who are studying to be professional nurses. This appropriation is to be spent by the department of education to make money available for the operational expenses of said hospital diploma schools in the state for all full time students newly admitted to the school starting in the fall terms of 1969 and 1970. Said operational expenses may include amounts expended for scholarships to students, monies used to advertise the school's curriculum, and monies used for books, equipment and additional clerical and teaching personnel, and other incidental expenses for which funds are not otherwise appropriated, and for which the superintendent of the hospital

shall determine a need exists. Each diploma hospital school of nursing in the state is entitled to a grant of half of the operational expense per year per full time student educated exclusive of income from tuition, or the sum of six hundred dollars, whichever is the lesser amount, for each newly admitted full time student that enters the school in the fall term of 1969, and the same amount for each newly admitted full time student that enters the school in the fall term of 1970. The school shall make application to the commissioner of education for grants authorized by this act, on the basis of the number of newly admitted first year full time students who actually commence their course of study in the school in the fall term of the year for which the appropriation is made. The commissioner of education shall establish procedures to verify the applications from the schools. When the commissioner is satisfied as to the correct number of students for which the school is entitled to receive grants, he shall certify to the state treasurer as to the amount of money the school is entitled to receive and shall order its payment. The state treasurer shall pay the grants to the schools on the order of the commissioner. The governor is authorized to draw his warrant for the money appropriated by this act out of any money in the treasury not otherwise appropriated.

\* \* \*

Amendment adopted by vv.

The Chair referred HJR 8 to Appropriations under the Rules.

HB 241, relative to the Eastern New Hampshire Turnpike. Rep. Dame for Public Works. Ought to pass.

The Chair referred HB 241 to Appropriations under the Rules.

SB 58, to include class IV highways in the class of highways eligible for state highway fund expenditures. Rep. Raymond for Public Works. Ought to pass.

Ordered to third reading by vv.

HB 106, relative to construction of sewage disposal systems near shorelines. Rep. Claflin for Resources, Recreation & Development. Ought to pass with amendment.

## AMENDMENT

Amend said bill by striking out section 1.

Further amend said bill by renumbering sections 2 and 3 to read 1 and 2.

\* \* \*

The Clerk read the amendment in full.

At the request of Rep. Sayer, Rep. Urie answered questions.

(discussion ensued)

Rep. Trowbridge explained the bill as amended.

(discussion ensued)

Rep. Urie spoke in favor of the amendment.

Rep. Sayer moved that HB 106 be indefinitely postponed and spoke in favor of the motion.

(discussion ensued)

Reps. Claflin and Urie spoke against the motion.

(discussion ensued)

The question being on the motion to indefinitely postpone HB 106.

Rep. Logan spoke against the motion.

Motion lost by vv.

The question now being on the adoption of the committee amendment.

Amendment adopted and the bill was ordered to a third reading by vv.

SB 24, relative to authority of legislature to repeal the charter of a voluntary corporation. Rep. Marden for Statutory Revision. Ought to pass.

Ordered to third reading by vv.

SB 33, to repeal the provisions relating to tramps. Rep. Marden for Statutory Revision. Ought to pass.

Ordered to third reading by vv.



HB 17, relative to air rifles. Rep. Burleigh for Statutory Revision. Ought to pass with amendment.

### AMENDMENT

Amend section I of the bill by striking out the same and inserting in place thereof the following:

I Air Rifles, Etc. Amend RSA 571 by inserting after section 30 (supp) the following new subdivision:

#### Air Guns

571:31 Definitions. As used in this subdivision, the following terms shall have the following meanings:

I. The term "air gun" means any gun, rifle or pistol, by whatever name known, which is designed to expel a projectile by the action of compressed air or gas, or any other device, or by the action of a spring or elastic, but does not mean a firearm.

II. The term "dealer" means any person engaged in the business of selling at retail or renting any of the articles designated in the preceding section.

#### 571:32 Transfer Prohibited.

I. It shall be unlawful for any dealer to sell, lend, rent, give, or otherwise transfer an air gun or any pellets or projectiles used therein to any person under the age of sixteen years.

II. It shall be unlawful for any person to give, lend, or otherwise transfer any air gun to any person under sixteen years of age, except where the relationship of parent and child, guardian and ward, or adult instructor and pupil exists between such person and the person under sixteen years of age.

571:33 Possession Permitted. Notwithstanding any inconsistent provision of this subdivision or any other provisions of this law, it shall be lawful for any person under sixteen years of age to have in his possession any of the articles in section 31 therein if the said article is:

I. Kept within his domicile.

II. Used by the person under sixteen years of age and he is a duly enrolled member of any club, team or society organized for educational purposes and maintaining as part of its facilities

or having written permission to use an indoor or outdoor rifle range, to possess, load and fire at such rifle range under the supervision, guidance, and instruction of a responsible adult.

III. Used in or on any private grounds or residence under circumstances when such an article designated in section 31 can be fired, discharged or operated in such a manner as not to endanger persons or property and also in such manner as to prevent the projectile from transversing any grounds or space outside the limits of such grounds or residence.

571:34 Where Prohibited.

I. It shall be unlawful for any person under sixteen years of age to carry an air gun on the streets, alleys, public roads, or public lands within the state of New Hampshire unless accompanied by an adult, provided, however, that said person under sixteen years of age may carry such air gun, unloaded, in a suitable case or securely wrapped.

II. It shall be unlawful for any person to discharge any air gun from or across any street, sidewalk, alley, or public land, or any public place, except on a properly constructed target range.

571:35 Penalty. Any person convicted of violating the provisions of this subdivision shall, upon conviction thereof, be punished by a fine of not more than five hundred dollars, or imprisonment for not more than ninety days, or both such fine and imprisonment in the discretion of the court, and shall be liable for damages.

\* \* \*

At the request of Rep. Hayes, Rep. Burleigh explained the amendment.

(discussion ensued)

Rep. McMeekin explained the amendment.

(discussion ensued)

Rep. Bednar moved that HB 17 be recommitted to the committee on Statutory Revision and spoke in favor of the motion.

Reps. O'Neil and Coutermarsh spoke in favor of the motion to recommit.

Motion adopted by vv.

HB 254, requiring users of snow traveling vehicles to wear protective headgear. Rep. A. George Manning for Transportation. Inexpedient to legislate.

Resolution adopted by vv.

### SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 176, legalizing proceedings at the special meeting of the Pembroke School District held in the town of Pembroke on December 10, 1968.

### FURTHER SENATE MESSAGE

The Senate refuses to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 107, relative to removal of the director of the fish and game department.

### FURTHER SENATE MESSAGE AND INTRODUCTION OF SENATE BILLS

Senate bills with the following numbers and titles, having passed the Senate and in the passage of which it asks the concurrence of the House of Representatives, were read a first and second time and referred as follows:

SB 17, to provide for cumulative pocket supplements for Revised Statutes Annotated. — To Appropriations.

SB 18, providing for recompilation of volume 1 of the Revised Statutes Annotated. — To Appropriations.

### QUALIFIED

Rep. Alphonse Bernier appeared before His Excellency Governor Peterson and was sworn in as Representative from Manchester.

Under the provisions of House Rule 56, the Chair ordered the following bills out of committee to be placed on the calendar for action on February 19th.

### **Placed on the calendar under Rule 56**

#### **Bills due for Report on Feb. 6**

HB 7, relative to compensation of senate and house clerks and assistant clerk and relative to indexes for journals and session laws. Judiciary.

HB 26, authorizing the establishment of professional associations. Judiciary.

HB 51, relative to power of arrest by fish and game conservation officers. Judiciary.

HB 72, granting zoning authority to the Seabrook Beach Village District Municipal and County Government.

HB 80, authorizing the election of tax assessors in towns. Municipal and County Government.

HB 98, relative to absentee voting in municipal elections in Nashua. Nashua Delegation.

HB 102, to authorize town treasurers to appoint deputy town treasurers. Municipal and County Government.

HB 111, relative to actions against hospitals. Judiciary.

HB 130, relative to form of oaths for public officers and teachers. Judiciary.

HJR 5, in favor of Lawrence E. Philbrook. Claims, Military and Veterans Affairs.

HJR 6, revoking the degree granting powers of Franconia College. Education.

#### **Bills due for Report on Feb. 11**

HB 110, relative to establishment of conservation areas by private persons. Resources, Recreation and Development.

The Chair announced that today is the birthday of President Lincoln and introduced Rep. Elmer Johnson who read excerpts from Lincoln's speeches and a poem by Edwin Markham.

Rep. Raiche moved that the remarks by Rep. Johnson be printed in the Journal.

Motion adopted by vv.

160 years ago today Abraham Lincoln was born in a little log cabin in the back woods of Kentucky. It is fitting that we commemorate his birth at this time.

Here is a quotation that is just as appropriate today as it was over a century ago when Lincoln used it —

"You cannot bring about prosperity by discouraging thrift. You cannot strengthen the weak by weakening the strong. You cannot help the wage earner by pulling down the wage payer. You cannot further the brotherhood of man by encouraging class hatred. You cannot help the poor by destroying the rich. You cannot establish sound security on borrowed money. You cannot keep out of trouble by spending more than you earn. You cannot build character and courage by taking away man's initiative and independence. You cannot help men permanently by doing for them what they could and should do for themselves."

— *Abraham Lincoln*

---

From Lincoln's 2nd inaugural address that is just as timely today as it was 104 years ago.

". . . With malice toward none — with charity for all with a firmness in the right as God gives us to see the right let us strive to finish the work we are in — to bind up the nation's wounds, to care for him who shall have borne the battle, for his widow, and his orphans. To do all in our power to achieve a just and lasting peace amongst ourselves and with all nations."

---

Many years ago in my early teens I was privileged to meet and become acquainted with the great poet Edwin Markham and heard him read his Lincoln poem upon several occasions. This poem was written in 1900. It was Markham's first great poem and it immediately brought national and international fame to the poet. Markham read this poem at the dedication of the Lincoln Memorial in Washington in 1920 and at that time he made the statement "Lincoln was great, not because he occupied the Presidential chair — a man's greatness is measured not by the position he occupies but by how he occupies that position."

*"Lincoln, The Man of the People"* by Edwin Markham.

When the Norn mother saw the whirlwind hour  
Greatening and darkening as it hurried on  
She left the Heaven of Heros and came down  
To make a man to meet the mortal need.  
She took the tried clay of the common road:  
Clay, warm yet with the genial heat of earth,  
Dasht through it a strain of prophecy,  
Then tempered the heap with thrill of human tears;  
    and mixed laughter with the serious stuff;  
Into the shape she breathed a flame  
To light that tender, tragic, everchanging face  
And laid on him a sense of mystic powers —  
Moving all husht behind the mortal veil —  
Here was a man to hold against the world,  
A man to match the mountains and the sea.

The color of the ground was in him, the red earth;  
The smack and tang of elemental things;  
The rectitude and patience of the cliff;  
The good will of the rain that loves all leaves;  
The friendly welcome of the wayside well;  
The courage of the bird that dares the seas;  
The gladness of the wind that shapes the corn;  
The pity of the snow that hides all scars;  
The secrecy of streams that make their way  
Under the mountain to the rifted rock;  
The tolerance and equity of light  
That gives as freely to the shrinking flower  
As to the great oak flaring to the wind —  
To the grave's low hill as to the Matterhorn  
That shoulders out the sky.

Sprung from the West, he drank  
The valorous youth of a new world,  
The strength of virgin forests braced his mind;  
The hush of spacious prairies stilled his soul.  
His words were oaks in acorns  
And his thoughts were roots that  
Firmly gripped the granite truth.

Up from log cabin to the capitol,  
One fire was on his spirit — one resolve —  
To send the keen ax to the root of wrong,



Clearing a free way for the feet of God;  
 The eyes of conscience testing every stroke,  
 To make his deed the measure of a man.  
 He built the rail pile as he built the state —  
 Pouring his splendid strength through every blow;  
 The grip that swung the ax in Illinois,  
 Was on the open that set a people free.

So came the captain with the mighty heart,  
 And when the judgement thunders split the house,  
 Wrenching the rafters from their ancient rest —  
 He held the ridgepole up and spiked again  
 The rafters of the home.  
 He held his place; Held the long purpose  
 Like a growing tree; Held on through blame  
 And faltered not at praise —  
 Towering in calm rough-hewn sublimity.

And when he fell — in whirlwind  
 He went down, as when  
 A lonely cedar, green with boughs,  
 Goes down with a great shout  
 Upon the hills — and leaves  
 A lonesome place against the sky.”

\* \* \*

Rep. Angus requested unanimous consent to address the House. Such consent being granted, Rep. Angus addressed the House complimenting the N. H. Highway Department on the tremendous work done in clearing the state's roads.

\* \* \*

On motion of Rep. Stafford the House adjourned from the early session and the Rules of the House were so far suspended as to permit the reading of bills by title only and resolutions by caption only and that when the House adjourns today it be in honor of Abraham Lincoln and to meet tomorrow at 11:00 o'clock.

### LATE SESSION THIRD READING OF BILLS

The following Senate Bills were read a third time, passed, and sent to the Secretary of State to be engrossed.

SB 24, relative to authority of legislature to repeal the charter of a voluntary corporation.

SB 33, to repeal the provisions relating to tramps.

SB 48, directing the comptroller to prepare the biennial budget for the supreme court.

SB 58, to include class IV highways in the class of highways eligible for state highway fund expenditures.

The following House Bills and a House Joint Resolution were read a third time, passed, and sent to the Senate for concurrence.

HB 187, relative to acceptance of federal funds by fish and game department.

HJR 25, making an additional appropriation for fiscal 1969 to continue printing of the market bulletin.

HB 63, relative to court terms in Grafton County.

HB 106, relative to construction of sewage disposal systems near shorelines.

(Rep. Bridges in the Chair)

### RECONSIDERATION

Rep. O'Neil, having voted with the majority, moved that the House reconsider its action whereby it passed HB 106, relative to construction of sewage disposal systems near shorelines, and spoke against the motion.

Motion lost by vv.

### RECONSIDERATION

Rep. Phil Bennett, having voted with the majority, moved that the House reconsider its action whereby it passed HB 63, relative to court terms in Grafton County, and spoke against the motion.

Motion lost by vv.

\* \* \*

On motion of Rep. George Roberts the House adjourned at 12:50 P.M.

*Thursday, February 13, 1969*

## JOINT CONVENTION

Prayer was offered by Rev. William L. Shafer.

Almighty God, who art the Father of us all, continually sustain Thy children in everlasting brotherhood. Free us from the prejudices of race, color, creed, and station in life as we labor to build our State and Nation upon the solid foundations of Thy Love — one for another. Enable us to walk each day in closer harmony and fellowship as we strive to create a more perfect union through the power of our decisions and the responsibilities of our various offices. Preserve our heritage of freedom with its sacred liberties as we acknowledge our obligations to our brother man. Unite us in the common bond of brotherhood through love and understanding, that regardless of the man-made divisions in life, we may be one in Thy Spirit. Amen.

## PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Leo Dion led the Convention in the Pledge of Allegiance to the Flag.

The Chair presented His Excellency, Governor Walter Peterson, to present his Budget Message to the Joint Convention.

## BUDGET MESSAGE

Mr. Speaker, Mr. President and Honorable Members of the General Court:

Today I have the duty and the privilege to offer to you my recommendations for the budget for the next biennium.

On January 2nd I promised you that I would present a "hold-the-line" budget and a balanced budget. The budgetary figures which I will present to you today meet both of these tests. In addition, and most importantly, the budget, in my opinion, meets the test of making the best use of the resources we have at our command.

At the outset, let me state the present condition of the State's Treasury. When I assumed office, the best estimate of

our financial advisors, both legislative and executive, was that the State faced a deficit, as of June 30, 1969, of 2.8 million dollars. The primary reason for this deficit was the failure of the taxes on tobacco to return the amount which we predicted in June of 1967. No one person or persons is to blame for this. The then Governor, and I, as the Speaker of the House, along with others responsible for revenue estimates, made our best estimate of the revenue to be gained from this source. History has proven us to have been in error, but now, rather than looking backward, we must look forward to ways and means of solving this problem.

We have already taken substantial steps to combat this problem. With the advice and consent of the Budget Advisory Committee, consisting of the Chairman of the House Appropriations Committee, the Chairman of the Senate Finance Committee and three other distinguished members, I have issued Executive Orders which will sharply curtail spending during the next four and one-half months. We will continue to closely observe revenue and spending figures as they become available with a goal of realizing a balanced budget as of the end of this fiscal year.

Before discussing with you the proposed budget for the next biennium, I want to first express my thanks for the invaluable assistance of the many State employees who assisted me in this difficult effort, and particularly to Leonard Hill, Norval Lessels, Arthur Fowler, Roy Lang and their associates in the Department of Administration and Control and Personnel.

In order to fully understand the magnitude of the problem of presenting you with a balanced budget, you should know that the general fund requests of agency heads totaled 207.5 million dollars. In addition, there is a fixed cost for debt service of 6.4 million which must be met. My recommended spending in this budget will total 128.4 million dollars from general funds, including debt service, plus an additional sum for education aid which I will discuss later.

The general and special fund agencies requested that 1265 new employees be added to our State service, whereas my recommended budget calls for only 357 new employees to be added for all such agencies.

You should understand, also, that more than half of our State spending occurs in agencies financed by special funds and by federal funds. Thus, the Highway, Fish and Game and the bulk of the Department of Safety spending comes from special sources of taxation and fees earmarked for these purposes. This method of financing has proven to be successful in the orderly development of these large agencies and thus I shall today offer to you a plan to establish a vital new program of local assistance for educational purposes based on this principle of earmarked funds.

To understand the magnitude of the total spending by all of our State agencies, you should know that the total spending requests, including debt service, amounted to 458.2 million dollars. The total recommended spending amounts to 352.9 million dollars.

A budget message could go on for hours, because the matter is so complex, but I prefer to highlight only a few of the key recommendations.

In making these recommendations to you, I have been guided by the words of President Theodore Roosevelt who, in his first annual message to Congress in 1901, said, "Only by avoidance of spending money on what is needless, or unjustifiable, can we legitimately keep our income to the point required to meet our needs that are genuine."

Our State is fortunate indeed to have a family of dedicated public servants. The cold reality, however, is that these fine people are the lowest paid State employees in New England. The Department of Personnel has recommended a salary increase which would cost 3.06 million dollars during the first year of the biennium and 3.11 million during the second year from the general fund, with similar increases in special fund agencies. These salary recommendations have been accorded general approval by our state employees. It is my recommendation that this level of compensation be granted by allowing 50% in the first year and 100% of this recommendation in the second year.

The Highway Department, Safety Department, and Fish and Game Department have adequate resources to maintain their programs and grant a pay increase in line with this recommendation. By this program of pay increases, we will once



again be competitive with our neighbors and we will be able to retain the services of the most talented of our State employees. Similar substantial raises are being recommended for unclassified employees and for members of the judiciary branch of our government.

No State program is more important than the education of our youth. From these young people will spring the leaders of tomorrow, and their need for effective education cannot be delayed. Therefore, to assist our growing vocational-technical school program, I am recommending an increase of 67.6% over the spending of the last biennium. Much of this spending is necessary to man, equip and operate the facilities which have recently been constructed or are in the process of construction.

Similarly, I am recommending a substantial increase for our State University system. During the last biennium the University and two State Colleges received 19.4 million from general funds. I am recommending that they receive 26.0 million dollars during this next biennium. It should be noted that a substantial portion of this spending, 5.1 million dollars, is necessary to pay for the cost of bonds authorized in past sessions for the construction of the many needed new facilities at all three schools.

Finally, I am recommending that one-half million dollars of the cost of our excellent educational television network be made a regular part of the proposed budget, rather than be funded as a legislative special item. The reason for this is simply that the time has come to recognize that this program available now throughout the State, is no longer experimental, but is an accepted new means of public education.

Let me stress again that the education of our citizens, particularly our youth, is the best investment we can make in the future of our State.

In my Inaugural Address and earlier today, I stated that I would offer you a new program of State aid to local school districts for educational purposes. My proposal for your consideration is as follows:

(1) That an "Education Aid Fund" be established from which all towns and cities will receive State assistance. This Education Aid Fund will be created from three clearly ear-



marked sources of revenue which shall be used for no other purpose. These sources will be the rooms and meals tax, at its present rate, but with the present one dollar minimum removed, the sweepstakes revenue, and the revenue from the tax on savings institutions. It should be noted that the present rooms and meals tax statute has caused excessive bookkeeping costs for all parties concerned, and has also resulted in confusion in the enforcement of the law. Thus, the vast majority of people concerned with this new tax have recommended to me that the minimum be removed.

Further, the rooms and meals tax, when originally enacted, was clearly intended to be in effect for only two years, unless enacted again by this legislature. For this reason, I believe we must take positive action to re-enact this tax, with the one dollar minimum removed.

(2) It is recommended that the present foundation aid law, which benefits fewer than one-half of the State's public school pupils, be abolished. In its place should be established a distribution system for the Education Aid Fund by which every town and city would benefit equally from a portion of the Fund (I would recommend that approximately one-third of the Fund be so distributed) and the balance of the Fund would be distributed on a "need" basis. To work out a fair and workable distribution system, I am creating, by executive order, a special committee of legislators and State officials to report to you by May 1st a plan for your consideration. I have asked Representative James O'Neil to chair this committee, and he has accepted this challenge.

(3) The Foundation Aid Law distributed 8.1 million dollars to needy towns and cities during the last biennium. It is conservatively estimated that the proposed Education Aid Fund will distribute at least 18 million dollars in total aid and may well exceed 20 million dollars under a program of vigorous enforcement of the rooms and meals tax law. It can be readily seen that this will mean a substantial increase in the amount of aid to local school districts as well as establishing the vital principle of earmarked funds for local educational assistance.

Two other agency budgets deserve mention. The Fish and Game Department which has recently enjoyed a surplus from their sources of restricted revenue, has been allowed all of their requests in their base budget. It is my belief that they need

these funds to carry on their program which benefits so many of our New Hampshire citizens as well as benefiting the recreation industry of our state.

The Department of Safety has requested, and I have recommended that 24 new troopers be authorized for the next biennium. As I stated to you in my Inaugural Address, I am greatly concerned about the growing number of traffic fatalities and injuries, and I am hopeful that this increase in state personnel will help to alleviate this problem.

In preparing this budget, we have tried to be realistic and conservative in our revenue estimates. We have had to face the reality that some of our sources of revenue, particularly the tobacco tax, are not growing at the rates witnessed in the past years. The overall increases in revenue in past years has been 8% per year, but we now estimate that present sources will yield only slightly over 6% per year. Therefore, in order to balance the general fund, we must necessarily enact increases in three of our existing tax sources.

The Insurance Commissioner has recommended, and I accept his recommendation, that certain fees be increased to realize an additional one-half million dollars of general fund revenue. In addition, it is my recommendation that the tax on real estate transfers be increased from 10c per \$100 of the sales price to 50c per \$100, the tax to be shared equally by the buyer and seller. This source of revenue will yield an additional 2.4 million dollars under this proposal. Finally, I am recommending that the legacy tax be raised from 10% to 15%.

As I have reported to you earlier, we have had to take saving action to bring our budget for this biennium into balance. For this reason, I am recommending that we budget an estimated unappropriated surplus as of the end of the next biennium, June 30, 1971, of \$827,290. This estimated surplus will allow us the flexibility which is required in order to realize a balanced budget based on revenue estimates which extend more than two years into the future.

In closing, I would like to report to you on the method by which the budget was prepared. As you are aware, during December we held extensive budget hearings at which time all agencies presented their budgets to myself and your legislative leaders experienced in the financial affairs of the State. After

these hearings, the budget requests were pared down to meet available revenue. Finally, discussions were then held with all major agency heads to give them an opportunity to suggest ways to reallocate funds within the line items of their budgets so as to make the best possible use of the funds available. I am confident that these conferences with the departments have resulted in a more efficient use of our resources, and this, I repeat, must be our primary goal.

In the months ahead your financial committees, and all of you in the final analysis, will have to deal with the difficult decisions that this budget message presents. I hope for your approval of the basic elements of my recommendations, and I am confident, from my years of service with you in the Legislature, that you will give this budget your full and fair consideration.

We have joined together in the great enterprise of making democracy work in our State. It is a challenge worthy of us all.

On motion of Senator Leonard from the 13th District, the Convention rose.

## HOUSE

### LEAVES OF ABSENCE

Rep. Antoinette Roy was granted leave of absence for the day on account of illness.

Reps. Kenneth Spalding, Horan and Charles Cheney were granted leave of absence for the day on account of important business.

\* \* \*

### RESOLUTION

Rep. McMeekin offered the following resolution:

*Resolved*, that in accordance with the list in the possession of the clerk, House Bills numbered 352 through 364 and House Joint Resolutions numbered 50 through 52 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

Resolution adopted by vv.

## INTRODUCTION OF BILLS

The following bills, resolutions and constitutional amendments were read a first and second time, laid on the table for printing and referred as follows:

HB 352, providing for the election of county commissioners for the county districts of Rockingham county. (Maynard of Rockingham 24 — To Rockingham Delegation.)

HB 353, relative to hospital directional signs on certain highways. (Barker of Cheshire 17 — To Public Works.)

HB 354, directing the state to repair the bridge in Wilton on route 31 which spans the Souhegan River. (Warren of Hillsborough 10 & Heald of Hillsborough 10 — To Public Works.)

HB 355, to establish a consumer fraud division in the office of the attorney general, and making appropriation therefor. (Wallin of Hillsborough 14 — To Executive Department and Administration.)

HB 356, relative to the reimbursement of tobacco tax payments to wholesalers by retailers. (Tasoulas of Cheshire 13 — To Ways & Means.)

HB 357, providing shift differential compensation for state employees and making an appropriation therefor. (MacDonald of Merrimack 25 & Walsh of Merrimack 27 — To Labor, Human Resources & Rehabilitation.)

HB 358, providing additional retirement allowances for certain retired teachers and making an appropriation therefor. (Bell of Grafton 18 — To Appropriations.)

HB 359, authorizing a study of abandoned railroad rights of way for public recreational use, and making an appropriation therefor. (McKenzie of Cheshire 16 — To Statutory Revision.)

HB 360, amending the Lebanon city charter to provide for three year terms for city councilors, three to be elected annually. (Merrill of Grafton 13 — To Lebanon Delegation.)

HB 361, relative to the term of office of registers of deeds and registers of probate in Grafton County. (McMeekin of Grafton 6 — To Grafton Delegation.)

HB 362, relative to fair hearings in programs of the division of welfare. (Cochrane of Strafford 4 — To Public Health, Welfare & Institutions.)

HB 363, repealing the exemption from poll taxes for persons in military service during World War II. (Warren of Hillsborough 10 — To Claims, Military & Veterans Affairs.)

HB 364, relative to educational leave in the department of health and welfare. (Barker of Cheshire 17 & Cochrane of Strafford 4 — To Labor, Human Resources & Rehabilitation.)

HJR 50, in favor of Dr. Roger N. Blake, Frank Corliss and Barbara Pelletier. (Ratoff of Rockingham 20 & Drake of Coos 3 — To Claims, Military & Veterans Affairs.)

HJR 51, providing for study of compensation for classified state employees who are assigned standby duty. (MacDonald of Merrimack 25 — To Labor, Human Resources & Rehabilitation.)

HJR 52, to purchase baseball uniforms for the state champions of Little League and Babe Ruth League baseball. (Lawton of Belknap 2 — To Appropriations.)

### COMMITTEE REPORTS

HJR 24, making an appropriation for the 1969 World Cup Ski Championships at Waterville Valley in New Hampshire, was withdrawn by committee.

HB 237, authorizing Pierce College for Women to grant certain degrees. Rep. Dunham for Education. Ought to pass.

Ordered to third reading by vv.

HB 276, relative to the power of Franconia College to grant degrees. Rep. Stevenson for Education. Ought to pass.

Ordered to third reading by vv.

SB 60, relative to powers of Belknap College to confer degrees. Rep. Dunham for Education. Ought to pass.

Ordered to third reading by vv.

HB 178, relative to the department of labor. Rep. Edward Walsh for Executive Departments & Administration. Ought to pass.



The Chair referred HB 178 to Appropriations under the Rules.

HB 209, increasing the salary of the director of fish and game. Rep. Drabinowicz for Executive Departments & Administration. Inexpedient to legislate.

Resolution adopted by vv.

HJR 32, providing for study of cost-of-living increases in retirement benefits for state employees and making an appropriation therefor. Rep. Moran for Executive Departments & Administration. Ought to pass with amendment.

\* \* \*

### AMENDMENT

Amend the resolution by striking out the word "September" in line seven and inserting in place thereof the word (November) so that said resolution as amended shall read as follows:

That the board of trustees of the New Hampshire retirement system is directed to cause a study and report to be made concerning the feasibility and cost of incorporating a permanent cost-of-living factor into the New Hampshire retirement system, so that benefits may hereafter be adjusted automatically to reflect the effects of inflation and resultant increases in cost of living. The board shall submit its report and recommendations to the fiscal committee of the general court not later than November 1, 1969. The sum of two thousand dollars is hereby appropriated for the purposes of defraying the cost of such study and report. The governor is authorized to draw his warrants for said sums out of any monies in the treasury not otherwise appropriated.

Amendment adopted by vv. The Chair referred HJR 32 to Appropriations under the Rules.

HB 83, relative to the legislative budget assistant. Rep. Mackintosh for Legislative Revision. Ought to pass with amendment.

### AMENDMENT

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:



1 Appointment and Compensation. Amend RSA 14:30 by striking out in line one the words "Prior to the prorogation" and inserting in place thereof the following (On or before May fifteenth) by striking out in lines two, three and four the words "the appropriations committee of the house of representatives and the finance committee of the state senate, acting as a special" and inserting in place thereof the following (the fiscal) and by inserting in line seven after the word "office" the following (He shall serve for a term of two years beginning on July first of the year of his appointment.) so that said section as amended shall read as follows: 14:30 Appointment and Compensation. On or before May fifteenth of any regular session of the legislature, the fiscal committee shall appoint a legislative budget assistant whose name shall be filed with the secretary of state. Said officer shall receive such salary as may be determined by the legislature and shall be reimbursed for actual expenses when engaged in the duties of his office. He shall serve for a term of office of two years beginning on July first of the year of his appointment.

2 Amend RSA 14:31 I as inserted by section 2 of the bill by inserting in line seven after the word "committee" the following (the report shall become a public document, and) and by inserting in line eleven after the word "committee" the following (Said statement shall be attached to the original of the committee report.) so that said paragraph as amended shall read as follows:

#### 14:31 Duties.

I. Post-Audit. The legislative budget assistant shall have the authority to post-audit the accounts and records of any state department, board, institution, commission, or agency. The legislative budget assistant may co-operate with federal officials and agencies in conducting post-audits pursuant to this paragraph. A detailed report of every post-audit conducted pursuant to this paragraph shall be submitted to the fiscal committee for its approval. After approval by the committee, the report shall become a public document, and a copy of the report shall be given to the governor, the comptroller, and the executive officer of the department, board, institution, commission or agency concerned. The executive officer shall have the right to submit a written statement explaining or rebutting the findings of the report, to the fiscal committee. Said statement shall be attached to the original of the committee report.

Amend RSA 14:31 III as inserted by section 2 of the bill by striking out in line eight the words "or things of value" and by inserting in line ten after the word "research" the following (conducted pursuant to the provisions of this paragraph) so that said paragraph as amended shall read as follows:

III. Research, Investigation, and Analyses. The legislative budget assistant shall conduct such investigations, analyses, or research into the financial activities and condition or the financial management procedures, or any specific area thereof, of any department, board, institution, commission, or agency, for the information of the legislature, as the fiscal committee shall specifically direct. In making any such investigation, analyses, or research, the legislative budget assistant shall have the power to examine whatever accounts or records of, or property held by, said department, board, institution, commission, or agency the fiscal committee shall deem useful to said investigation, analyses, or research conducted pursuant to the provisions of this paragraph.

Amend RSA 14:31 IV as inserted by section 2 of the bill by inserting in line four after the word "duties" the following (as prescribed in paragraphs I, II and III.) so that said paragraph as amended shall read as follows:

IV. Furnishing Information. All state departments, boards, institutions, commissions and agencies shall be required to furnish to the legislative budget assistant any information he may request in the course of carrying out his duties as prescribed by paragraphs I, II and III.

Amend section 4 of the bill by striking out said section and inserting in place thereof the following:

4 Dismissal. Amend RSA 14:33 by striking out said section and inserting in place thereof the following: 14:33 Dismissal. The legislative budget assistant may be dismissed at any time by vote of the fiscal committee for good cause shown in a complaint brought by the said committee. The legislative budget assistant shall be afforded due notice of any such complaint and a fair hearing before said committee before dismissal. Should the fiscal committee vote to dismiss the legislative budget assistant, he may appeal his dismissal to a special committee consisting of the house appropriations and senate finance commit-

tees which shall have the power to uphold or reverse the decision of the fiscal committee.

Amend section 7 of the bill by striking out said section and inserting in place thereof the following:

7 Effective Date. This act shall take effect upon its passage.

\* \* \*

Amendment adopted. The Chair referred HB 83 to Appropriations under the Rules.

HB 84, relative to the fiscal committee. Rep. Mackintosh for Legislative Revision. Ought to pass with amendment.

#### AMENDMENT

Amend RSA 14:29-a I as inserted by section 1 of the bill by striking out said paragraph and inserting in place thereof the following:

I. Composition. The fiscal committee shall be composed of eight members. Five shall be members of the house. They shall include the chairman of the appropriations committee, two other members of the appropriations committee appointed by the chairman of said committee, and two members of the ways and means committee appointed by the speaker of the house. Three shall be members of the senate. They shall include the chairman of the finance committee, one other member of the finance committee appointed by the chairman of said committee, and one member of the ways and means committee appointed by the president of the senate. Provided, that in no case shall the presiding officer of either the house or the senate be a member of the fiscal committee. If the presiding officer of either the house or senate should occupy a committee chairmanship that would otherwise make him a member of the fiscal committee, the vice chairman of the house or senate committee shall serve on the fiscal committee, and shall appoint any members of the fiscal committee the chairman would otherwise appoint.

Amend RSA 14:29-a II, as inserted by section 1 of the bill by striking out in line two the words "prior to the prorogation of" and inserting in place thereof the following (on or before

April thirtieth during) so that said paragraph as amended shall read as follows:

II. Term of Office. Members of the fiscal committee shall be appointed on or before April thirtieth during each regular session of the legislature. They shall serve until their successor is appointed and qualified, or until they no longer qualify under the provisions of paragraph I. In case of a vacancy or disqualification, the seat shall be filled by a person who possesses the proper qualifications for that seat. He shall be appointed in the manner prescribed in paragraph I.

Amend RSA 14:29-a III, as inserted by section I of the bill, by inserting in line two after the word "mileage" the following (as set forth in RSA 14:15-a) so that said paragraph as amended shall read as follows:

III. Compensation. The members of the fiscal committee shall be paid the regular legislative mileage as set forth in RSA 14:15-a during the interim while engaged in their work as members of the committee.

Amend RSA 14:29-b as inserted by section 1 of the bill by striking out in line nine the words "in carrying out its duties" and inserting in place thereof the following (in order to exercise its authority as granted by this section) so that said section as amended shall read as follows:

14:29-b Authority. The fiscal committee shall while the general court is in session and during the interim consult with, advise and supervise the legislative budget assistant. It shall, at its discretion, investigate and consider any matter relative to the appropriations, expenditures, finances, revenues, financial management procedures, or other fiscal matters of any state department, agency, institution, board, commission, or officer. It shall have the authority to require any state department, agency, institution, board, or officer to submit to it any books, records, or documents it deems necessary in order to exercise its authority as granted by this section.

Amend section 3 of the bill by striking out said section and inserting in place thereof the following:

3 Effective Date. This act shall take effect upon its passage.

Amendment adopted by vv. The Chair referred HB 84 to Appropriations under the Rules.

HB 196, establishing a police commission for the town of Conway. Rep. Hanson for Municipal & County Government. Ought to pass with amendment.

### AMENDMENT

Amend section 1 of the bill by inserting in line four after the word "election" the words (and shall not hold, nor be candidates for, any other political office of the town of Conway during their term on said commission) so that said section as amended shall read as follows:

1 Establishment. There shall be a police commission for the town of Conway consisting of three persons elected as hereinafter provided. Said commissioners shall have been residents of said town for at least five years immediately preceding the date of their election and shall not hold, nor be candidates for, any other political office of the town of Conway during their term on said commission. For the first election of police commissioners hereunder one shall be elected for a term of one year, one for a term of two years and one for a term of three years and thereafter there shall be elected at each annual meeting one commissioner for a term of three years. Any vacancy in the commission shall be filled by appointment by the remaining members of the commission. Such appointee shall hold office until the next annual meeting of the town.

\* \* \*

(Rep. O'Neil in the Chair)

Amendment adopted and the bill was ordered to a third reading by vv.

HB 117, requiring automatic sprinkler systems and certain fire resistant materials in hospitals and other licensed health facilities. Rep. Chris Andersen for Public Health, Welfare & State Institutions. Inexpedient to legislate.

Rep. Knight moved that HB 117 be recommitted to committee and spoke in favor of the motion.

Rep. Cleon Heald spoke in favor of the motion.

Motion adopted by vv.



HB 127, relative to payment by the state in certain cases of the cost of educating children living in foster homes. Rep. Tarr for Public Health, Welfare & State Institutions. Inexpedient to legislate, subject matter covered by other legislation.

At the request of Rep. Williamson, Rep. Cleon Heald answered a question.

Resolution adopted by vv.

HB 270, permitting cities and towns to provide ambulance services. Rep. Alfred Welch for Public Health, Welfare & State Institutions. Ought to pass with amendment.

### AMENDMENT

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Effective Date. This act shall take effect upon passage.

\* \* \*

Amendment adopted and the bill was ordered to a third reading by vv.

\* \* \*

### RESOLUTION

Reps. Betley, Manning & Walsh of Hillsborough County, District 31, offered the following resolutions.

### RESOLUTIONS

*Whereas*, we have learned with regret of the death of Herbert P. Linehan, former Representative from Manchester, and

*Whereas*, Mr. Linehan served his community faithfully and with efficiency, therefore be it

*Resolved*, that we, the members of the House of Representatives in General Court convened, do hereby extend our sympathy to the family of Mr. Linehan, and be it further

*Resolved*, that a copy of these resolutions be transmitted to his family.

\* \* \*

The Clerk read the resolution in full.

Resolutions adopted by vv.



Reps. Maloomian and Charles Roberts offered the following House Concurrent Resolution No. 5  
condemning the Russian invasion of Czechoslovakia.

*Whereas*, The citizens of New Hampshire, being of free and independent nature, have always recognized and respected the inalienable right of all people, everywhere, to be equally free and independent and to be allowed to choose their own form of government; and

*Whereas*, The freedoms and liberties of the citizens of Czechoslovakia, as well as their rights of self-government, have been severely compromised through the precipitative, callous and immoral invasion of their country by the forces of the Soviet Union; and

*Whereas*, New Hampshire's citizens feel compelled to cry out loudly and clearly against all forms and vestiges of tyranny wherever they may exist; now, therefore, be it

*Resolved*, by the House of Representatives of the State of New Hampshire, the Senate concurring,

That this legislature give public notice to the Soviet Union that the citizenry of New Hampshire, through their elected representatives, vigorously and emphatically condemn the Soviet invasion and occupation of Czechoslovakia and bid the Soviet Union to forthwith cease any and all interference with the right of the citizens of Czechoslovakia to choose the form and direction of their government as they see fit.

The Chair referred the Concurrent Resolutions to the Committee on Rules.

\* \* \*

### SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 55, authorizing White Pines College to grant associate degrees.

HB 92, to specifically include women veterans in the class of persons eligible for admission to the soldiers' home.

## SENATE MESSAGE

The Senate has passed the following entitled bills in the passage of which it asks the concurrence of the House of Representatives.

SENATE MESSAGE AND  
INTRODUCTION OF SENATE BILLS

Senate Bills with the following numbers and titles, having passed the Senate and in the passage of which it asks the concurrence of the House of Representatives, were read a first and second time and referred as follows:

SB 50, to prohibit the killing of seals. — To Fish & Game.

SB 27, relative to an early discharge of paroled prisoner for good conduct. — To Labor.

SB 68, authorizing the liquor commission to open state stores on election day. — To Liquor Laws.

SB 69, relative to distribution of pari-mutuel taxes to agricultural fairs. — To Agriculture.

## FURTHER SENATE MESSAGE

The Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 44, increasing the penalty for violation of clam laws.

Rep. Robert Drew moved that the House concur in the Senate amendment.

## AMENDMENT

Amend section 1 of said bill by striking out section and inserting in place thereof the following:

1 Clam Laws, Penalty Increased. Amend RSA 211:64 as inserted by 1959, 194:4 by striking out said section and inserting in place thereof the following: 211:64 Penalty. Whoever violates the provisions of section 62-a hereof or any rule or regulation promulgated by the director as hereinbefore pro-

vided relative to clams, clam worms and oysters shall be fined one hundred dollars. Any person taking clams in excess of the limits provided by regulations promulgated under RSA 211:62 shall be fined one hundred dollars and ten dollars additional for each quart taken or possessed in excess of the legal limit, provided that said additional fine shall in no case exceed \$500.00. The director, in his discretion, may also revoke any license issued to said person under this title for a period not exceeding one year.

\* \* \*

Motion adopted by vv.

#### FURTHER SENATE MESSAGE

The Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 41, relative to the power of the director of fish and game for the protection of deer herds.

#### AMENDMENT

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Director's Power. Amend RSA 208:4-a as inserted by 1964, 298:3 by inserting in line two after the words "section 2" the following (or any other provision of the law) and by striking out in line six the word "one" and inserting in place thereof the word (three) so that said section as amended shall read as follows: 208:4-a Protection of Herd. Notwithstanding the provisions of section 2 or any other provision of the law, the director of fish and game, whenever he shall deem such action necessary to protect and conserve the deer herd of the state, shall have the authority to close any section of the state to hunting and taking deer. Any person hunting and taking deer from an area of the state closed to such hunting and taking hereunder shall be fined not more than three hundred dollars.

\* \* \*

Rep. Robert Drew moved that the House nonconcur in

the Senate amendment and that a committee of Conference be appointed.

Motion adopted by vv.

The Chair appointed Reps. Hayes, Campbell and O'Neil as conferees on the part of the House.

(Speaker in the Chair)

Rep. Zachos moved that the order whereby HB 240, to provide for absentee voting in primary elections, was referred to Judiciary be vacated and it be referred to Constitutional Revision.

Motion adopted by vv.

\* \* \*

Rep. Mackintosh moved that the House grant HB 7, relative to compensation of senate and house clerks and assistant clerk and relative to indexes for Journals and session laws, a six day extension as provided under House Rule 56.

Motion adopted by vv.

## RESOLUTION

Rep. Elmer Johnson offered the following resolutions:

*Whereas*, the high cost of operating the federal government has been a major factor in creating oppressive taxation; and

*Whereas*, the rapid expansion of this high cost of federal government is producing inflation that is annually taking a substantial portion of the real value of each citizen's property; and

*Whereas*, one of the largest single items in the high cost of our federal government is the enormous sums of money now paid federal employees, and

*Whereas*, acting under the terms of the 1967 federal employees salary act, former president Lyndon B. Johnson recommended and the present Congress permitted raises in salaries of the President, Senators, Representatives, cabinet heads, and federal judges ranging from 60 to 100 per cent above present salaries of these officials, which excessive increases will do more

to open the floodgates of inflation than the 10 to 15 per cent increases sought by laborers.

*Now, therefore, be it resolved:*

1. That the Legislature of the State of New Hampshire hereby expresses its disapproval of these raises.

2. That the Legislature memorialize the representatives of the people of New Hampshire to the Congress of the United States to take immediate action to encourage the early repeal of Section 225 of Public Laws 90-206.

3. That copies of this Resolution be forwarded to the Washington office of each of the United States Senators and Representatives from New Hampshire.

At the request of Rep. Johnson the Clerk read the resolution in full.

The Chair ordered the resolution laid on the table, printed in the Journal and referred to Legislative Revision.

\* \* \*

On motion of Rep. Stafford the House adjourned from the early session and the Rules of the House were so far suspended as to permit the reading of bills by title only and that when the House adjourns today it be to meet Tuesday next at 11:00 o'clock.

### LATE SESSION THIRD READINGS

The following House Bills were read a third time, passed, and sent to the Senate for concurrence.

HB 237, authorizing Pierce College for Women to grant certain degrees.

HB 276, relative to the power of Franconia College to grant degrees.

HB 196, establishing a police commission for the town of Conway.

HB 270, permitting cities and towns to provide ambulance services.

The following Senate Bill was read a third time, passed, and sent to the Secretary of State to be engrossed.

SB 60, relative to powers of Belknap College to confer degrees.

\* \* \*

On motion of Rep. Belanger the House adjourned in honor of the wedding anniversary of Rep. Vachon and his wife Rose, at 12:12 P.M.

---

*Tuesday, February 18, 1969*

The House met at 11:00 o'clock.

#### HOUSE

(Rep. Raiche in the Chair)

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

Almighty God, at whose command the nations rise and fall; establish this nation in the doing of Thy Will. Guide and direct our President and the Members of Congress, our Governor and the Members of this Joint Convention, and all who hold public office — that they may think lightly of earthly place and favor, and may think gravely of the duties and powers committed into their hands. Deliver all peoples from envy and hatred, from every cruelty of suppression, and help us to protect and defend the light of liberty in our own nation. This day may we be responsive and responsible in our deliberations, striving to obtain the highest good for our citizens, and bringing honor to Thy Name and Divine Purpose in all of life. Amen.

#### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Boire led the House in the Pledge of Allegiance to the Flag.



## LEAVES OF ABSENCE

Rep. Brocklebank was granted leave of absence for the day on account of illness.

Rep. Chamberlin was granted leave of absence for the day to attend a funeral.

Reps. Hoar and Ernest Clark were granted leave of absence for the week on account of illness.

Rep. Ralph Boisvert was granted indefinite leave of absence on account of illness.

## RESOLUTION

Rep. Logan offered the following resolution:

*Resolved*, that in accordance with the list in the possession of the clerk, House Bills numbered 365 through 372 and House Joint Resolution numbered 53 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.

## INTRODUCTION OF BILLS

The following bills and joint resolutions were read a first and second time, laid on the table for printing and referred as follows:

HB 365, relative to procedure for re-assessment of taxes by tax commission. (Bednar of Hillsborough Dist. 23 — To Ways and Means.)

HB 366, relative to hawker's and peddler's licenses. (Junkins of Rockingham Dist. 16 — To Statutory Revision.)

HB 367, establishing an additional trustee to the board of trustees at the University of New Hampshire. (Murphy of Strafford Dist. 18, Hussey of Strafford Dist. 12 — To Education.)

HB 368, relative to highway relocation assistance. (Foster of Belknap Dist. 12 — To Public Works.)

HB 369, to increase the lobbyists registration fee. Maloomian of Strafford Dist. 6, & Chasse of Strafford Dist. 8 — To Legislative Revision.)

HB 370, to increase the license fee for hawkers and peddlers. (Maloomian of Strafford Dist. 6, & Chasse of Strafford Dist. 8 — To Judiciary.)

HB 371, relative to requirements for state contracts for services. (Newell of Merrimack Dist. 26 — To Statutory Revision.)

HB 372, relative to actions for fraud. (Nixon of Hillsborough Dist. 5 — To Judiciary.)

HJR 53, in favor of the New Hampshire Historical Society. (Johnson of Grafton Dist. 9, & Radway of Grafton Dist. 9 — To Statutory Revision.)

The Chair introduced Paul Lemire as a guest of the House, courtesy of Rep. Lemire.

### COMMITTEE REPORTS

House Concurrent Resolution 4, concerned with the probable long-range cost to the state of implementing and financing a Title XIX Medicaid Program. Rep. George B. Roberts for Appropriations. Ought to pass.

Ordered to third reading by vv.

HJR 17, to reimburse Richard Paul Pavlick for the time he was confined in New Hampshire Hospital. Rep. Goff for Appropriations. Inexpedient to legislate.

Reps. Eaton and Stafford spoke in favor of the resolution.

Resolution adopted by vv.

HB 47, to allow greater flexibility in the use of funds appropriated for constructing and equipping a health training center at the state technical institute. Rep. Drake for Appropriations. Ought to pass with amendment.

### AMENDMENT

Amend House Bill 47 by striking out section 1 and inserting in place thereof the following:

1 Construction Appropriation. Amend Laws of 1967, 410:4 and 410:5 by striking out said sections and inserting in place thereof the following:

410:4 Construction Appropriation. There is hereby appropriated the following sums for the therein identified purposes:

Health building	\$1,002,000	
Equipment	160,000	
	<hr/>	\$1,162,000
Library building	350,250	
Books	40,000	
Equipment	20,000	
	<hr/>	410,250
Expansion of cafeteria		69,000
Expansion of parking facilities		55,000
		<hr/>
Total appropriation		\$1,696,250
Less estimated federal funds		617,371
		<hr/>
Net appropriation		\$1,078,879
		<hr/>

If federal funds in excess of those estimated become available, the net appropriation shall be decreased by the amount of excess.

The appropriation provided by this section shall be available until June 30, 1971.

Transfers may be made between items listed above, except for equipment and books, with governor and council approval.

410:5 Bonds Authorized. To provide funds for the appropriation(s) made by this act the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of one million seventy-eight thousand eight hundred seventy-nine dollars and for said purpose may issue bonds and notes in the name and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A.

\* \* \*

Amendment adopted and the bill ordered to a third reading by vv.

HJR 30, providing additional funds for the state treasurer's office. Rep. Goff for Appropriations. Ought to pass with amendment.

### AMENDMENT

Amend said Joint Resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the state treasurer is authorized to employ persons to fill the following positions for the period from March 1 to June 30, 1969:

Accountant I

Clerk Typist I

Notwithstanding any other provisions of law, the state treasurer is authorized to use the balance of funds appropriated for part-time secretaries under chapter 380 of the Laws of 1967, together with funds already transferred from the Governor's Operating Budget Contingency Fund, for the employment of the above persons.

\* \* \*

Amendment adopted and the bill ordered to a third reading by vv.

HB 153, relative to insurance of state owned property. Rep. Fortin for Banks and Insurance. Inexpedient to legislate.

Rep. Williamson moved that the words, ought to pass, be substituted for the committee report, inexpedient to legislate, and spoke in favor of the motion.

(discussion ensued)

Rep. Bigelow spoke against the motion.

(discussion ensued)

Motion lost by vv.

Resolution adopted by vv.

HB 248, relative to qualification of a person to be appointed as a bank official. Rep. Milne for Banks and Insurance. Ought to pass.

Ordered to third reading by vv.

HJR 5, in favor of Lawrence E. Philbrook. Rep. Sawyer for Claims, Military and Veterans Affairs. Ought to pass.

Ordered to third reading by vv.

HJR 11, in favor of the North Conway fire department for rescue operations. Rep. Sawyer for Claims, Military and Veterans Affairs. Ought to pass.

Ordered to third reading by vv.

HJR 12, in favor of Earl Caird of Milan. Rep. Sawyer for Claims, Military and Veterans Affairs. Inexpedient to legislate.

Resolution adopted by vv.

HJR 14, in favor of Leon A. Hoik, was withdrawn by Committee.

HJR 16, relative to Joseph Sandquist. Rep. Sawyer for Claims, Military and Veterans Affairs. Ought to pass.

Ordered to third reading by vv.

HB 144, relative to the number of justices of the superior court. Rep. Aucella for Constitutional Revision. Ought to pass with amendment.

### AMENDMENT

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Number Related to Population. Amend RSA 491:1, as amended by 1963 260:1, by striking out said section and inserting in place thereof the following: 491:1, Justices. The superior court shall consist of a chief justice and one associate justice for every sixty thousand inhabitants of the state or portion thereof, as determined by the most recent federal census. Said justices shall be appointed and commissioned as prescribed by the constitution, and shall exercise the powers of the court unless otherwise provided. The court shall also include any justices who have been retired from active service due to permanent disability.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

HB 211, reducing the basic work week of law enforcement employees to forty hours with no limit on overtime. Rep. Van Gardner for Executive Departments and Administration. Inexpedient to legislate.

Rep. Alfred Welch moved that HB 211 be recommitted to the Committee and spoke in favor of the motion.

Reps. Shirley Clark and Angus spoke against the motion.

Rep. Bridges spoke in favor of the motion.

Rep. Shirley Clark spoke a second time against the motion.

(discussion ensued)

At the request of Rep. Alfred Welch, Rep. Angus answered questions.

Motion to recommit HB 211 lost by vv.

Resolution of committee adopted by vv.

HB 238, relative to the duties of the secretary of the tax commission, establishing the office of executive secretary, and making an appropriation therefor. Rep. MacDonald for majority, ought to pass. Minority, Reps. Watson, Julia White, Boisvert and Scamman. Ought to pass with amendment. The reports were accepted.

#### MINORITY AMENDMENT

Amend the title of said bill by striking out the same and inserting in place thereof the following:

##### An Act

relative to the duties of the secretary of the tax commission and establishing the position of executive secretary.

Amend section 2 of said bill by striking it out in its entirety and inserting in place thereof the following:

2 Position of Executive Secretary Created. Amend RSA 71 by inserting after section 5 the following new section: 71:5-a Executive Secretary. The commission shall employ an executive secretary who shall be a classified employee.

Amend sections 3, 4 and 5 of said bill by striking them out in their entirety.

Amend said bill by renumbering section 6 to read 3.



Rep. Watson moved that the report of the minority, ought to pass with amendment, be substituted for the report of the majority, ought to pass, and spoke in favor of the motion.

(discussion ensued)

Reps. Shirley Clark, Coutermarsh, Bednar and Zachos spoke against the motion.

(discussion ensued)

Rep. Van Gardner spoke in favor of the motion.

Rep. Coutermarsh requested a division vote.

### PARLIAMENTARY INQUIRY

Rep. Bednar rose on a point of parliamentary inquiry.

The vote being manifestly in the negative, the motion to substitute was lost.

The Chair referred HB 238 to Appropriations under the Rules.

### RECONSIDERATION

Rep. Drake, having voted with the majority, moved that the House reconsider its action whereby it ordered HB 144 to a third reading and spoke in favor of the motion.

Motion adopted by vv.

Rep. Drake moved that HB 144 be placed back on second reading and spoke in favor of the motion.

The Chair referred HB 144 to Appropriations under the Rules.

HJR 31, to establish an interim committee to study the pricing and sale of hearing aids. Rep. Cochrane for Labor, Human Resources and Rehabilitation. Inexpedient to legislate.

Resolution adopted by vv.

HB 65, lowering age of persons who may purchase and use alcoholic beverages to eighteen years. Rep. Robert Dion for Liquor Laws. Inexpedient to legislate.

Resolution adopted by vv.

On a vv the Chair was in doubt and requested a division.

The vote being manifestly in the affirmative, the resolution was adopted.

HB 215, providing for a specific penalty for sale of alcoholic beverages to minors. Rep. Lemire for Liquor Laws. Inexpedient to legislate.

Resolution adopted by vv.

HB 72, granting zoning authority to the Seabrook Beach Village District. Rep. Stuart Allan for Municipal and County Government. Inexpedient to legislate.

Resolution adopted by vv.

HB 80, authorizing the election of tax assessors in towns. Rep. Blain for Municipal and County Government. Inexpedient to legislate.

Resolution adopted by vv.

HB 167, making town meeting day a legal holiday. Rep. Blain for Municipal and County Government. Inexpedient to legislate.

Resolution adopted by vv.

HB 250, requiring that perambulations of town lines be filed with the secretary of state. Rep. Blain for Municipal and County Government. Ought to pass.

Ordered to third reading by vv.

HB 251, to increase maximum penalty for violating town by-laws. Rep. Stuart Allan for Municipal and County Government. Ought to pass.

Ordered to third reading by vv.

HB 233, relative to hospital licensing. Rep. Carl Foster for Public Health, Welfare and State Institutions. Ought to pass with amendment.

## AMENDMENT

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Institutions Needing License. Amend RSA 151:2 as amended by 1959, 236:1 by striking out said section and insert-

ing in place thereof the following: 151:2 Requirement for License. No hospital or other institution, building, residence, private home, or other place or part thereof, however named, whether operated for profit or not, which is advertised, offered, maintained or operated by the ownership or management, whether for a consideration or not, for the express or implied purpose of providing diagnosis or treatment, or medical, nursing, obstetrical, or other remedial or personal care or supervision or sheltered services for persons who are suffering from illness, injury, deformity, infirmity, or other physical or mental handicap shall be established, conducted or maintained in this state without first obtaining a license therefor in the manner hereinafter provided. However, nothing herein shall be construed as requiring the licensing of facilities which are maintained and operated for the continuing care of one person; of facilities maintained and operated for the sole benefit of persons related to the owner or manager by blood or marriage within the third degree of consanguinity; of physicians' offices and related facilities, or of facilities which may be exempted by rules lawfully promulgated hereunder.

\* \* \*

Rep. Cleon Heald moved that HB 233 be recommitted to committee and spoke in favor of the motion.

Motion adopted by vv.

HB 255, relating to historical markers on state and local highways. Rep. Fortier for Public Works. Ought to pass.

The Chair referred HB 255 to Appropriations under the Rules.

HB 66, providing for the acquisition of water rights and dam at Sewalls Falls in Concord. Rep. Claflin for Resources, Recreation and Development. Ought to pass with amendment.

#### AMENDMENT

Amend RSA 481-D:1 as inserted by section 1 of the bill by striking out in lines one and two the words "consideration of one dollar the water resources board" and inserting in place thereof the words (sum of ten thousand dollars paid to the water resources board by the Concord Electric Company, said board) so said section as amended shall read as follows:

481-D:1 Acquisition Authorized. For a sum of ten thousand dollars paid to the water resources board by the Concord Electric Company, said board is hereby authorized to accept conveyances from the owners thereof the following described properties for the purpose of improving and controlling certain water rights for the benefit of the state: Dam, water rights, and lands connected therewith known as the Sewalls Falls dam on the Merrimack River in the city of Concord.

Amend RSA 481-D:2 as inserted by section 1 of the bill by striking out in line two the word "shall" and inserting in place thereof the word (may) so that said section as amended shall read as follows:

481-D:2 Repairs and Improvements. Said board after said acquisition may from time to time make repairs and modifications to said dam so acquired or rebuild the same so as to best serve the interests of this state.

Amend RSA 481-D as inserted by section 1 of the bill by inserting after section 3 the following new section:

481-D:4 Sewalls Falls Dam Fund. The money received under section 1 shall be paid to the water resources board and held in a special fund to be used exclusively for the repair and maintenance of the Sewalls Falls Dam in Concord. Expenditures from this fund may be made for the purposes hereof by the water resources board with the prior approval of the governor and council.

\* \* \*

Amendment adopted and the bill ordered to a third reading by vv.

HB 185, relative to the water supply and pollution control commission and enforcement of classification of waters. Rep. Clafin for Resources, Recreation and Development. Ought to pass with amendment.

#### AMENDMENT

Amend RSA 149:3, IV-a as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

IV-a. Notwithstanding anything contained in this chapter

to the contrary, the commission in submitting classifications relating to interstate waters to the New England Interstate Water Pollution Control Commission for review and approval, as provided for under the terms of Article V of the compact whereby the interstate commission was created by RSA 488, shall submit such classifications in accordance with the standards of water quality as currently adopted by said interstate water pollution control commission provided, however, that the standards for any classification thus submitted for review and approval shall not be less than, nor exceed the standards of the classification duly adopted by the General Court as provided for in RSA 149;6 or 7.

Further amend the bill by striking out sections 5 and 6 and inserting in place thereof the following:

5 Effective Date. This act shall take effect sixty days after its passage.

\* \* \*

At the request of Rep. Sayer, Rep. Urie answered questions.

Amendment adopted and the bill ordered to a third reading by vv.

HB 159, relative to penalties for use of a gun or another lethal weapon while committing or attempting to commit a felony. Rep. Wallin for Judiciary. Inexpedient to legislate.

Resolution adopted by vv.

HB 192, increasing the amount authorized for state guarantee of municipal bonds for water pollution. Rep. Claffin for Resources, Recreation and Development. Ought to pass.

The Chair referred HB 192 to Appropriations under the Rules.

HB 216, relative to the use of motorboats by juveniles. Rep. Claffin for Resources, Recreation and Development. Inexpedient to legislate.

Resolution adopted by vv.

## RECESS

## AFTER RECESS

## COMMITTEE REPORTS CONTINUED

HB 140, relative to time and place for holding probate court in Rockingham county. Rep. Weeks for Rockingham County Delegation. Ought to pass.

Ordered to third reading by vv.

HB 202, providing that vacancies in certain offices in Rockingham County be filled by the county convention. Rep. Weeks for Rockingham Delegation. Inexpedient to legislate.

Resolution adopted by vv.

HJR 20, establishing an interim commission to study the election laws. Rep. McMeekin for Statutory Revision. That it be referred to the Legislative Council.

Referred to Legislative Council.

SB 21, recodifying to simplify the form of the statutes relative to salaries of county attorneys, county treasurers and county commissioners. Rep. Dow for Statutory Revision. Ought to pass.

Ordered to third reading by vv.

SB 30, amending the charter of the Phillips Exeter Academy. Rep. Dow for Statutory Revision. Ought to pass.

Ordered to third reading by vv.

HB 141, providing for the reporting of all serious accidents to local police authority, and prohibiting wrecker devices from removing vehicles involved in accidents before police have been called. Rep. Bartlett for Transportation. Inexpedient to legislate.

Resolution adopted by vv.

HB 163, making it illegal to drive while under the influence of hallucinogenic drugs. Rep. Hamel for Transportation. Ought to pass.

Ordered to third reading by vv.

HB 189, to broaden the authority of emergency vehicle operators to disregard certain road rules. Rep. Elmer York. Inexpedient to legislate.

Resolution adopted by vv.



HB 303, relative to the operation of motorcycles. Rep. A. George Manning for Transportation. Ought to pass.

Ordered to third reading by vv.

HJR 34, making appropriations for airport snow removal and airport lighting aid. Rep. Coutermarsh for Transportation. Ought to pass.

The Chair referred HJR 34 to Appropriations under the Rules.

\* \* \*

Rep. Nighswander moved that the order whereby HB 320, relating to community mental health programs and state aid therefor, was referred to Public Works be vacated and the bill be referred to Resources, Recreation and Development and spoke in favor of the motion.

Motion adopted by vv.

\* \* \*

Rep. Robert A. Dion, Hillsborough Dist. 21, moved the name of the sponsor of HB 118, An Act to transfer certain costs of the superior court from the counties to the state, and to impose a tax on cigarettes to finance a superior court fund, and HB 126, An Act reducing the basic work week of law enforcement employees to forty hours, be corrected to read Rep. McMeekin.

Motion adopted by vv.

\* \* \*

Reps. Drake and Shute, District 3, Lancaster, offered the following resolutions.

### RESOLUTIONS

*Whereas*, we have learned with regret of the death of John Evans, former Representative from Lancaster, and a long time member as Tax Commissioner, and

*Whereas*, Mr. Evans served his community faithfully and with efficiency, therefore be it

*Resolved*, that we, the members of the House of Representatives in General Court convened, do hereby extend our sympathy to the family of Mr. Evans, and be it further

*Resolved*, that a copy of these resolutions be transmitted to his family.

\* \* \*

Resolutions adopted by vv.

### SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 222, relative to the timing of county audits by the Tax Commission and relative to certain expenses of municipal audits.

HB 223, to change the word "invoice" to inventory in relation to taxation of property.

HB 234, to abolish the water commission in the town of Derry and transfer its functions to the Selectmen.

### FURTHER SENATE MESSAGE

The Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill:

HB 41, relative to the power of the director of fish and game for the protection of deer herds.

and the President has appointed as members of said Committee on the part of the Senate: Senators Mason and Bourque.

### REPORT OF COMMITTEE ON ENGROSSED BILLS

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills:

HB 55, An Act authorizing White Pines College to grant associate degrees.

HB 92, An Act to specifically include women veterans in the class of persons eligible for admission to the soldiers' home.

HB 176, An Act legalizing proceedings at the special meeting of the Pembroke School District in the town of Pembroke on December 10, 1968.

SB 6, An Act repealing inspections of milk and cream; the licensing of dealers, and the establishment of certain measures of milk.

SB 19, An Act to eliminate certain duties of the commissioner of agriculture.

SB 32, An Act to require biennial reports by the commissioner of agriculture to the governor and council.

HB 44, An Act increasing the penalty for violation of clam laws.

HB 222, An Act relative to the timing of county audits by the tax commission and relative to certain expenses of municipal audits.

HB 234, An Act to abolish the water commission in the town of Derry and transfer its functions to the selectmen.

SB 33, An Act to repeal the provisions relating to tramps.

SB 48, An Act directing the comptroller to prepare the biennial budget for the supreme court.

SB 58, An Act to include class IV highways in the class of highways eligible for state highway fund expenditures.

SB 60, An Act relative to powers of Belknap College to confer degrees.

HB 223, An Act changing the word "invoice" to inventory in relation to taxation of property.

Roxie A. Forbes  
For the Committee

\* \* \*

## RECONSIDERATION

Rep. Merrill announced that today or some subsequent day she would ask the House to reconsider its action whereby

it adopted HCR 4, concerned with the probable long-range cost to the state of implementing and financing a Title XIX Medicaid Program.

### PERSONAL PRIVILEGE

Rep. Collishaw rose on a point of personal privilege and announced that it was the 31st birthday of Acting Speaker Robert Raiche. The House sang Happy Birthday.

(Speaker in the Chair)

Rep. Logan requested unanimous consent to address the House.

Such consent being granted, Rep. Logan addressed the House.

Rep. O'Neil moved that the remarks of Rep. Logan be printed in the Journal.

Motion unanimously adopted by vv.

\* \* \*

Mr. Speaker: Within the past week my attention was called to a statement made by one of our younger freshman members — A statement in which he called the New Hampshire House of Representatives “A Den of Antiquity”.

My first reaction was defensive and angry. I thought of recommending some severe rebuke such as erasing his name from the mileage boards.

My second thought was that he might have said many more damaging things about us. The key words in his comment were “Den” and “Antiquity”.

I looked them up in the dictionary.

It is true that *den* may be defined as the lair of a wild beast — a cave or a cavern — a place of resort for nefarious or prohibited purposes.

But all the meanings are not derogatory — a *den* is also a private place for study, for thinking and making decisions, for escape from the noise and confusion caused by younger members of a family or of a community.

Also *antiquity* is not by any means an entirely negative word. In addition to meaning "ancient or of great age" it also carries the connotation of respect because of age, of a lasting quality, of long experience, of stored up wisdom, and of value as when we speak of a "priceless antique".

So — I decided not to pursue my vendetta against our freshman member, but instead to ask permission of the House to say a few words in praise of age and experience as they are represented by a high percentage of the membership of this body.

I should, perhaps, begin by admitting that taken collectively the leadership of both sides of the aisle must be considered a youthful group. With this I have no quarrel. We need energetic, vigorous, eager and ardent young bucks and tigers, just as any organization needs them.

But — It is also well to remind ourselves and them that in human affairs there is no substitute for seasoning, for aging, for long term individual experience.

We need muscle, but not at the expense of patience and prudence. We need valor, but not as a substitute for discretion. We need speed, but we also need control.

Nine members of this House were born after World War II had begun.

Two hundred and thirty members were of voting age and most of them had been working for years before the end of the jazz age, the fabulous 1920's.

When the speaker was being stuffed with his first bowl of Pabulum, 67% of the members of this House had voted or would be able to vote within a year. Those members were just recovering from the era of flappers, gun molls, tin lizzies, bath tub gin, flagpole sitters, marathon dancers, Aimee McPherson, and Fatty Arbuckle.

The Wall Street nightmare was well underway. Fifty billion dollars — in those days a vast amount of money — had been eroded from the value of America's common stocks. Breadlines had begun to form and apple sellers crowded the street corners of many of our cities.

These were experiences from which many of us learned. Remember that in 1930 67% of the members of the House

were old enough to be carrying major responsibilities and that the United States was headed into the dark waters of the worst depression this country has ever known.

When the three assistant majority leaders were still rejecting or regurgitating their puréed spinach, the Japanese had already established themselves in Manchuria: Hitler and his Nazi bully boys had seized control of Germany: The Bonus Army had marched on Washington, had been turned down by Congress, and later had been driven out by the military.

By this time 72% of the members of the House had voted at least once, had suffered through five hard depression years, had been harangued by Father Coughlin and Huey Long, and had been exposed to and mind-washed by the brain-trusters in Washington.

When the minority leader and the assistant minority leader were still in their cribs and were just beginning to experiment with the pleasures and hazards of putting their feet in their mouths, 73% of the members of the House had voted for or against the new deal, were being bombarded by alphabetic agencies from Washington, and were still struggling to keep themselves and their families afloat in a depression that was now world-wide.

When the Republican Whip was muling and puking in his nurse's arms, or was demanding at the top of his lungs, attention from his first constituents, the motto on the wall beside his cradle was a quotation from Alf Landon, the Kansas Sunflower, who said: "I believe a man can be a liberal without being a spendthrift."

By this time one third of the nation was labelled "Ill-housed, Ill-clad, Ill-fed, and three-fourths of the members of the house were worrying about the shortage of both guns and butter as they watched war and violence spreading over the world, and as they still saw no light at the end of the depression tunnel.

I am not one to place a high value on the mere passage of years, to say that the best is yet to be for us tribal elders, to bow my head in worship of the good old days or ways, or of age as such. But I do believe as Sophocles said that: "Age and the wear of time do teach us many things."



All this is in no way intended to belittle youth, energy, drive, or alacrity. It is only my way of saying that we have other assets and we need other assets in the house. We have a body of knowledge that was hard to come by. We have maturity. We have tradition. We have a rounding of the sharp corners that comes only from use, and a mellowing of the flavor that comes only from age.

I urge the leadership of both parties to recognize this and to make use of it.

And now, because the Speaker is the only one who has conveniently at hand a proper goblet from which to drink a toast, I ask him to raise his cup in a salute — a salute to age, to experience, to prudence, and to patience.

I thank you.

\* \* \*

On motion of Rep. Stafford the House adjourned from the early session and the Rules of the House were so far suspended as to permit the reading of bills by title only and Resolutions by caption only and that when the House adjourns today it be to meet tomorrow at 11:00 o'clock.

## LATE SESSION

### THIRD READINGS

The following House Bills and House Joint Resolutions were read a third time, passed, and sent to the Senate for concurrence.

HB 47, to allow greater flexibility in the use of funds appropriated for constructing and equipping a health training center at the state technical institute.

HJR 30, Providing additional funds for the state treasurer's office.

HB 248, relative to qualification of a person to be appointed as a bank official.

HJR 5, in favor of Lawrence E. Philbrook.

HJR 11, in favor of the North Conway fire department for rescue operations.

HJR 16, relative to Joseph Sanquist.

HB 250, requiring that perambulations of town lines be filed with the Secretary of state.

HB 251, to increase maximum penalty for violating town by-laws.

HB 66, providing for the acquisition of water rights and dam at Sewalls Falls in Concord.

HB 185, relative to the water supply and pollution control commission and enforcement of classification of waters.

HB 140, relative to time and place for holding probate court in Rockingham County.

HB 163, making it illegal to drive while under the influence of hallucinogenic drugs.

HB 303, relative to the operation of motorcycles.

The following Senate Bills were read a third time, passed, and sent to the Secretary of State to be engrossed.

SB 21, recodifying to simplify the form of the statutes relative to salaries of county attorneys, county treasurers and county commissioner.

SB 30, amending the charter of the Phillips Exeter Academy.

\* \* \*

The Chair announced that under the provisions of Rule 56 he would bring onto the floor three days from today the following House Bills.

HB 162, to aid municipalities for water pollution control by state contribution of costs prior to receipt of federal funds.

HB 184, relative to constructions in or adjacent to surface waters and submission of plans therefor.

\* \* \*

On motion of Rep. Brungot the House adjourned at 2:49 P. M.

*Wednesday, February 19, 1969*

The House met at 11:00 o'clock.

## HOUSE

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

Most Gracious God, who giveth understanding to the open mind, who toucheth with compassion the responsive heart, who doeth Thy works through committed lives, as we wait before Thee grant unto us the endowments of Thy Holy Spirit. To our knowledge add wisdom, to our idealism add purpose, to our endeavors add power, and inspire us with love for Thee and our fellow mankind. Deliver us from low motive and ambitions, help us to measure our lives by the standards of Jesus Christ. On this first day of the Season of Lent, we thank Thee for our life in a free land, for just laws, a heritage of worthy traditions and good customs, and works of charity. In the practice of our individual religious faith, by day and by night, with heart and voice, may thy servants from generation to generation praise and adore Thee. Grace our lives with Thy Divine Presence, we pray. Amen.

## PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. McLane led the House in the Pledge of Allegiance to the Flag.

## LEAVES OF ABSENCE

Rep. Lang was granted leave of absence for today and tomorrow on account of illness.

Rep. Chamberlin was granted leave of absence for the day to attend a funeral.

## RESOLUTION

Rep. McMeekin offered the following resolution:

*Resolved*, that in accordance with the list in the possession of the clerk, House Bills numbered 374 through 380 and House Joint Resolution numbered 54 shall be by this resolution read

a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.

## INTRODUCTION OF BILLS

The following bills and joint resolutions were read a first and second time, laid on the table for printing and referred as follows:

HB 374, establishing a woman's division within the department of labor. (O'Neil of Cheshire Dist. 12, Cares of Hillsborough Dist. 24, & Frizzell of Sullivan Dist. 7 — To Labor, Human Resources & Rehabilitation.)

HB 375, relative to dancing in places where liquor is sold. (Urie of Belknap Dist. 1 — To Liquor Laws.)

HB 376, relative to horse and dog racing. (Drabinowicz of Hillsborough Dist. 17 — To Ways and Means.)

HB 377, to compensate the towns and cities for tax exempt land owned by the state and making an appropriation therefor. (Fuller of Merrimack Dist. 26, Shirley of Strafford Dist. 4, Barker of Cheshire Dist. 17, Sears of Grafton Dist. 18, & deBlois of Belknap Dist. 8 — To Municipal & County Government.)

HB 378, relative to Thompson school of applied science at the university. (Tirrell of Strafford Dist. 4, & Morrow of Strafford Dist. 3 — To Agriculture.)

HB 379, relative to adulterated and misbranded foods, drugs, devices and cosmetics. (Urie of Belknap Dist. 1 — To Judiciary.)

HB 380, relative to the mode of acquisition of dams by the state. (Belcourt of Hillsborough Dist. 16 — To Appropriations.)

HJR 54, making a special appropriation for payment in place of or in addition to foundation aid for the school year 1968-69 to the school districts of Greenville, Mason, New Ipswich, Rochester and Rollinsford. (Fortin of Hillsborough Dist. 9 — To Education.)

## COMMITTEE REPORTS

HB 249, relative to small loans. Rep. Leighton for Banks and Insurance. Ought to pass with amendment.

## AMENDMENT

Amend section 4 of the bill by striking out the same and inserting in place thereof the following:

4 Charges. Amend RSA 399-A:10, as inserted by 1961, 245:1, by inserting at the end thereof the words (and except an actual sale of the security in foreclosure proceedings or upon entry of judgment) so that said section as amended shall read as follows: 399-A:10 Recording Fees. No charge for any examination, service, brokerage, commission, or other thing, or otherwise, shall be directly or indirectly made, contracted for, except the lawful fees, if any, actually and necessarily paid out by the licensee to any public officer, for filing, or recording in any public office any instrument securing the loan, which fees may be collected when the loan is made, or at any time thereafter and except the reasonable cost, charges and expenses, (including attorney's fees and court costs) actually incurred in connection with a repossession of the security or an actual sale of the security in foreclosure proceedings or upon entry of judgment.

\* \* \*

Amendment adopted and the bill was ordered to a third reading by vv.

HR, concerning the N. H. National Guard. Rep. Sawyer for Claims, Military and Veterans Affairs. Ought to pass with amendment.

## AMENDMENT

Amend the second resolving clause by striking out said clause and inserting in place thereof the following:

*Resolved*, that a copy of these resolutions be transmitted to the members of the New Hampshire Congressional delegation in Washington, to the Department of the Army, Secretary of Defense and to the Governor and Governor's Council of New Hampshire.

The amendment and resolution were adopted by vv.

HB 193, relative to the procedure for claiming veterans' property tax exemptions. Rep. Sawyer for Claims, Military and Veterans Affairs. Ought to pass.

Ordered to third reading by vv.

HB 201, allowing local option by towns in granting to veterans the service exemption from property taxes. Rep. Sawyer for Claims, Military and Veterans Affairs. Inexpedient to legislate.

At the request of Rep. Roma Spaulding, Rep. Greenwood answered questions.

Rep. Spaulding moved that the words, ought to pass, be substituted for the committee report, inexpedient to legislate, and spoke in favor of the motion.

Rep. Greenwood moved that HB 201 be made a special order of business for 11:01 tomorrow and spoke in favor of the motion.

Motion adopted by vv.

\* \* \*

### COMMITTEE REPORTS CONTINUED

HJR 6, revoking the degree granting powers of Franconia College. Rep. Stevenson for Education. Inexpedient to legislate; subject matter covered by previous legislation.

Resolution adopted by vv.

HB 247, providing special fish and game licenses for resident governors and their wives. Rep. Huggins for Fish and Game. Ought to pass.

Ordered to third reading by vv.

HB 169, relative to landowner's duty of care to users of snow traveling vehicles. Rep. Sayer for Judiciary. Ought to pass with amendment.

### AMENDMENT

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:



2 Permission to Use. Amend RSA 212:34, II, as inserted by 1961, 201:1 by striking out said paragraph and inserting in place thereof the following: II. An owner, lessee or occupant of premises who gives permission to another to hunt, fish, trap, camp, hike, use snow traveling vehicles, or sightsee upon such premises, or use said premises for water sports, does not thereby (a) extend any assurance that the premises are safe for such purposes, or (b) constitute the person to whom permission has been granted the legal status of an invitee to whom a duty of care is owed, or (c) assume responsibility for or incur liability for any injury to person or property caused by any act of such person to whom permission has been granted except as provided in paragraph III hereof.

Amend section 3 of said bill by striking out the same and inserting in place thereof the following:

3 Business Invitee. Amend RSA 212:34, III, as inserted by 1961, 201:1 by striking out said paragraph and inserting in place thereof the following:

III. This section does not limit the liability which otherwise exists (a) for wilful or malicious failure to guard or warn against a dangerous condition, use, structure or activity; or (b) for injury suffered in any case where permission to hunt, fish, trap, camp, hike, use for water sports, use snow traveling vehicles or sightsee was granted for a consideration other than the consideration, if any, paid to said landowner by the state; or (c) for injury caused by acts of persons to whom permission to hunt, fish, trap, camp, hike, use for water sports, use snow traveling vehicles or sightsee was granted to third persons as to whom the person granting permission, or owner, lessee or occupant of the premises, owed a duty to keep the premises safe or to warn of danger.

\* \* \*

Amendment adopted and the bill was ordered to a third reading by vv.

HB 190, relating to drunkenness in a motor vehicle. Rep. Buckman for Judiciary. Inexpedient to legislate.

Resolution adopted by vv.

HB 217, relative to suspension of motor vehicle operator's license of a person involved in an accident after drinking. Rep. Buckman for Judiciary. Inexpedient to legislate.

Resolution adopted by vv.

SB 7, relative to the use of the senate and house chambers, anterooms and cloakrooms. Rep. Mackintosh for Legislative Revision. Ought to pass with amendment.

### AMENDMENT

Amend RSA 14:14-a I as inserted by section 1 of the bill by inserting in line four after the word "house" the following (or his designee) so that said paragraph as amended shall read as follows:

I. House. No person shall use the house chamber, ante-rooms, or cloakrooms at any time for any purpose other than a meeting of the house, of a committee thereof, or of a joint committee of the house and senate, without the prior permission of the speaker of the house or his designee.

Amend RSA 14:14-a II as inserted by section 1 of the bill by inserting in line four after the word "senate" the following (or his designee) so that said paragraph as amended shall read as follows:

II. Senate. No person shall use the senate chamber, ante-rooms, or cloakrooms at any time for any purpose other than a meeting of the senate, of a committee thereof, or of a joint committee of the house and senate, without prior permission of the president of the senate or his designee.

Amendment adopted and the bill was ordered to a third reading by vv.

HB 8, relative to appointment of legislative budget assistant and director of legislative services. Rep. Mackintosh for Legislative Revision. Ought to pass with amendment.

### AMENDMENT

Amend the title of the bill by striking out said title and inserting in place thereof the following:

## AN ACT

relative to the appointment of the director of  
legislative services.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Legislative Service. Amend RSA 17-A:2 (supp) as inserted by 1963, 297:1 by striking out said section and inserting in place thereof the following: 17-A:2 Appointment. A special committee composed of the president of the senate, the speaker of the house of representatives, the minority leader of the house, the minority leader of the senate, the chairman of the senate finance committee and the chairman of the house appropriations committee, shall appoint the director of legislative services whose salary shall be determined by the legislature. Said director shall be chosen without reference to party affiliation and solely on the ground of his fitness, qualifications and experience to perform the duties of his office. Four members of the special committee shall constitute a quorum. The committee shall keep complete minutes of its meetings. Said minutes shall be public. The appointment of a director hereunder shall be made prior to the first day of May, 1971, and every four years thereafter. The term of office of said director shall be for four years and until his successor is appointed. When the appointment is made the special committee shall report the name of the director to the legislature.

2 Incumbent to Continue in Office. The present director of legislative services shall continue in office until his term expires and his successor is appointed.

3 Effective Date. This act shall take effect upon its passage.

\* \* \*

Amendment adopted by vv. The Chair referred HB 8 to Appropriations under the Rules.

HB 102, to authorize town treasurers to appoint deputy town treasurers. Rep. Irene Reed for Municipal and County Government. Ought to pass with amendment.

## AMENDMENT

Amend said bill by striking out everything after the enacting clause and inserting in place thereof the following:

1 Deputy Treasurer. Amend RSA 41 by inserting after section 29 (supp) the following new section: 41:29-a Deputy treasurer. Any town may, under an article in the warrant for the annual town meeting, vote to authorize the treasurer, with the approval of the selectmen, to appoint a deputy treasurer. Said deputy shall be aware, shall have the powers of the treasurer, may be removed at the pleasure of the treasurer, and shall before entering upon the duties of his office, give bond as provided in section 6 of this chapter.

2 Optional Provisions. Amend RSA 41:55 by striking out in line four the words "the superior court may, upon application of the selectmen" and inserting in place thereof the following (the selectmen may, unless the town has voted to adopt the provisions of RSA 41:29-a,) so that said section as amended shall read as follows: 41:55 Town Treasurer. If any person holding the office of town treasure shall, by reason of illness, accident, absence from the state or other cause, becomes temporarily incapacitated and unable to perform the duties of his office, the selectmen may, unless the town has voted to adopt the provisions of RSA 41:29-a, declare a temporary vacancy and appoint an acting town treasurer to perform the duties of the office for a limited period of time, and fix his compensation and the amount of his bond. Said appointee shall be subject to the requirements and liabilities of such office during his term.

3 Effective Date. This act shall take effect sixty days after its passage.

\* \* \*

Amendment adopted and the bill was ordered to a third reading by vv.

HB 98, relative to absentee voting in municipal elections in Nashua. Rep. Wallin for the Nashua Delegation. Ought to pass.

Ordered to third reading by vv.

HB 195, relative to fees for practice of barbering and employment of full-time inspector. Rep. Donalda Howard for

Public Health, Welfare and State Institutions. Ought to pass with amendment.

### AMENDMENT

Amend section 3 of the bill by striking out the same and inserting in place the following:

3 Requirements. Amend RSA 313:21 by striking out in line twelve the word "twenty-five" and inserting in place thereof the words (one hundred) , and by striking out in line seventeen the word "twenty-five" and inserting in place thereof the word (fifty) so that said section as amended shall read as follows: 313:21 Approved School; Fees. It shall be unlawful for any person, firm or corporation, whether as owner, manager or agent, to open, conduct or maintain a school of barbering without first having obtained from the board a certificate of registration for an approved school. Application for such school registration shall be made to the board in writing and shall state the name and address of the owner of the school, the city and town and street and number where the same is located, and contain such other information as may be required by the board. Upon receipt of such written application said board shall make an investigation with respect to the location, appointments, equipment and appliances suitable and sanitary for such purposes and if such investigation is satisfactory, the board shall issue to the applicant, upon payment of a fee of one hundred dollars, a certificate of registration to conduct a school of barbering at such location until the first day of July following the date of such registration. Such certificate may, so long as such school continues to meet the approval of said board, be renewed for one-year periods upon the payment of a fee of fifty dollars for each such renewal. The board may revoke any such certificate at any time for cause; provided that notice shall be given to such school of said proposed action in order that the owner of said school may have an opportunity to request a hearing on such notification. In the event of a change of location of any approved school, notice shall be given to the board thereof and the board shall issue a transfer of certificate of registration of such school to its new location provided such new location shall meet the requirements of the board. No person shall instruct barbering in any school unless he has an instructor's certificate.



Rep. Lambert moved that the words, inexpedient to legislate, be substituted for the report of the committee, ought to pass with amendment, and spoke in favor of the motion.

(discussion ensued)

Reps. Maglaras and Cleon Heald spoke against the motion.

(discussion ensued)

Motion adopted by vv.

HB 231, relative to certificates without examination for the practice of psychology and relative to associate psychologists. Rep. Noyes for Public Health, Welfare and State Institutions. Ought to pass with amendment.

### AMENDMENT

Amend RSA 330-A:16-a III as inserted by section 3 of the act by striking out in line 6 the word "in" and inserting in place thereof the following (similarly employed by) so that said paragraph as amended shall read as follows:

III. In the event that a certified psychologist informs the board in writing that he is no longer willing to assume the professional responsibility for the activities and services of an associate psychologist, such associate psychologist may not use the title associate psychologist in association with any of his activities and services unless and until another certified psychologist similarly employed by that agency, institution or organization informs the board that he is willing to assume the professional responsibility for the activities and services of the associate psychologist under terms of a written agreement.

\* \* \*

Amendment adopted and the bill was ordered to third reading by vv.

\* \* \*

The Chair called for the four bills placed on the calendar under Rule 56.

Rep. Zachos reported that HB 130, relative to form of oaths for public officers and teachers, was reported in yesterday.



Rep. Zachos requested a six day extension on the following bills.

HB 26, authorizing the establishment of professional associations.

HB 51, relative to power of arrest by fish and game conservation officers.

HB 111, relative to actions against hospitals.

Rep. Angus spoke in favor of the motion.

Permission granted.

\* \* \*

### PARLIAMENTARY INQUIRY

Rep. Bednar rose on a point of parliamentary inquiry.

The Chair ruled that it is in order to place all bills on third reading and final passage under suspension of the Rules if it is the will of the House.

\* \* \*

Rep. Bednar moved that the Rules of the House be so far suspended as to place all bills on third reading and final passage at the present time by title only and spoke in favor of the motion.

(discussion ensued)

Motion adopted by vv.

\* \* \*

### THIRD READINGS

The following bills were read a third time, passed, and sent to the Senate for concurrence.

HB 249, relative to small loans.

HB 193, relative to the procedure for claiming veterans' property tax exemptions.

HB 247, providing special fish and game licenses for resident governors and their wives.

HB 169, relative to landowner's duty of care to users of snow traveling vehicles.

HB 102, to authorize town treasurers to appoint deputy town treasurers.

HB 98, relative to absentee voting in municipal elections in Nashua.

HB 231, relative to certificates without examination for the practice of psychology and relative to associate psychologists.

The following Senate Bill was read a third time, passed, and sent to the Secretary of State to be engrossed.

SB 7, relative to the use of the senate and house chambers, anterooms and cloakrooms.

#### RECONSIDERATION

Rep. Lambert, having voted with the majority, moved that the House reconsider its action whereby it killed HB 195, relative to fees for practice of barbering and employment of full-time inspector, and spoke against the motion.

Motion lost by vv.

\* \* \*

Rep. Trowbridge moved that the Rules of the House be so far suspended as to dispense with the requirement of two days' notice for a committee report and that the resolution be taken up at the present time, the resolution being the one introduced by Rep. Hussey of Rochester regarding the establishing of the Machiasport Oil Refineries.

Motion adopted by vv.

#### COMMITTEE REPORT

The committee on Public Works reported that the resolution should be adopted.

Resolution adopted by vv.

SENATE MESSAGE AND  
INTRODUCTION OF SENATE BILL  
REFERRED AS FOLLOWS

The Senate has passed the following entitled bill in the passage of which it asks the concurrence of the House of Representatives:

SB 42, relative to the expiration date of snowmobile registrations. To Judiciary.

RESOLUTIONS

Rep. Peabody of Pelham and Rep. Mitchell of Campton offered the following resolutions.

RESOLUTIONS

*Whereas*, we have learned with regret of the death of Thomas Waterhouse, former Senator and former Representative from Windham, and

*Whereas*, Mr. Waterhouse served his community faithfully and with efficiency, therefore be it

*Resolved*, that we, the members of the House of Representatives in General Court convened, do hereby extend our sympathy to the family of Mr. Waterhouse, and be it further

*Resolved*, that a copy of these resolutions be transmitted to his family.

\* \* \*

Resolutions adopted by vv.

RECESS

AFTER RECESS

COMMITTEE REPORTS CONTINUED

HB 77, permitting abortion in certain cases. Rep. Cleon Heald for Public Health, Welfare and State Institutions. Majority: Ought to pass with amendment.

## AMENDMENT

Amend RSA 585:29 II as inserted by section I of the bill by striking out in line one the word "Accredited" and inserting in place thereof the word (Licensed) so that said paragraph as amended shall read as follows:

II. "Licensed hospital" means one licensed by the department of health and welfare pursuant to RSA 151.

Amend RSA 585:29 III as inserted by section I of the bill by striking out in line six the word "accredited" and inserting in place thereof the word (licensed), by striking out in line seven the word "all" and inserting in place thereof the following (the majority), by inserting in line nine after the word "is" the following (more than), and by inserting in line sixteen after the word "psychiatry" the following (who has had her under care for a period sufficient to determine with relative certainty the degree of mental impairment that the woman may suffer;) so that said paragraph as amended shall read as follows:

III. "Justified medical termination" means the intentional ending of the pregnancy of a woman at the request of said woman, or if said woman is under the age of eighteen years, then at the request of said woman and her then living parent or guardian, or if said woman is married and living with her husband, then at the request of said woman and her husband, by a licensed physician using accepted medical procedures in a fully licensed hospital upon written certification by the majority of the members of a special hospital board that:

(a) Continuation of the pregnancy, in their opinion, is more than likely to result in:

(1) The death of the woman; or

(2) The serious permanent impairment of the physical health of the woman; or

(3) The serious permanent impairment of the mental health of the woman as confirmed in writing under the signature of a licensed doctor of medicine specializing in psychiatry who has had her under care for a period sufficient to determine with relative certainty the degree of mental impairment that the woman may suffer; or

(4) The birth of a child with grave and permanent physical deformity or mental retardation; or

(b) Less than sixteen weeks of gestation have passed and that the pregnancy resulted from rape or incest and that the county attorney of the county in which the alleged rape or incest has occurred has informed the committee in writing under his signature that there is probable cause to believe the alleged violation did occur.

Amend RSA 585:30, as inserted by section 1 of the bill by striking out in lines four and nine after the word "or" the word "live" so that said section as amended shall read as follows:

585:30 Criminal Abortion.

I. Any person who intentionally ends or causes to be ended the pregnancy of a woman by any means other than by justified medical termination of the pregnancy or birth is guilty of a felony, punishable by imprisonment in the state prison for not less than three years nor more than ten years and by a fine not exceeding two thousand dollars.

II. If any woman shall die as a result of the intentional ending of her pregnancy by any means other than by justified medical termination of the pregnancy or birth, the person responsible is guilty of murder and shall be punished accordingly.

Amend RSA 585:31, as inserted by section 1 of the bill, by striking out in lines four and nine after the word "or" the word "live" so that said section as amended shall read as follows:

585:31 Pretended Criminal Abortion.

I. Any person who intentionally pretends to end the real or apparent pregnancy of a woman by any means other than by justified medical termination of the pregnancy or birth is guilty of a felony, punishable by imprisonment in the state prison for not less than one year nor more than three years and by a fine not exceeding one thousand dollars.

II. If any woman shall die as the result of the intentional pretended ending of her real or apparent pregnancy by any means other than by justified medical termination of the pregnancy or birth, the person responsible is guilty of murder and shall be punished accordingly.

Minority: Reps. Preston, Lesage, Beaudoin, Mason, Bernard, Harriet Richardson, Webber and Tarr. Inexpedient to legislate.

The reports were accepted.

Rep. Wallin spoke in favor of the majority report and explained the amendment.

(discussion ensued)

Rep. Maloomian moved that HB 77 be indefinitely postponed and spoke in favor of the motion.

### PARLIAMENTARY INQUIRY

Rep. Chris Andersen rose on a point of parliamentary inquiry and asked if it would be in order to limit debate.

The Chair ruled that a motion to put a time limit on any member would be in order but would not limit the number of questions.

Rep. Andersen moved that the debate by a speaker be limited to five minutes and spoke in favor of the motion.

(discussion ensued)

Reps. Stafford and McMeekin spoke against the motion.

### PARLIAMENTARY INQUIRY

Rep. McMeekin rose on a point of parliamentary inquiry.

The Chair stated that his recollection was the same as Rep. McMeekin's that the Chair at that time ruled that it would be in order for a member to yield his time to the member who ran out of time. The Chair would continue the ruling made by former Speaker Lamprey.

Rep. Coutermarsh spoke against the motion.

### PARLIAMENTARY INQUIRY

Rep. Vachon rose on a point of parliamentary inquiry.

The Chair ruled that if the motion was adopted each member would be allowed to speak five minutes and then after all



members had spoken a first time they could speak a second time for five minutes and if they needed a third time they could have a member yield the floor to them.

Motion lost by vv.

Rep. Cleon Heald explained the bill and spoke in favor of the majority report.

(discussion ensued)

Reps. Tarr, Brungot, Morrison, Drabinowicz and Bernard spoke in favor of the motion.

(discussion ensued)

Reps. Bowles, Barbara Thompson, Buckman and Murray spoke against the motion.

(Rep. Bridges in the Chair)

Reps. Martel, Schwaner, Levesque, and Wilfred Boisvert spoke in favor of the motion.

Reps. Donalda Howard, Cochran, Alfred Welch, Carl Foster and Roma Spaulding spoke against the motion.

(Speaker in the Chair)

(discussion ensued)

Reps. Lawton, Clement, Theriault, Bednar and A. George Manning spoke in favor of the motion.

Reps. Trowbridge and Bridges spoke against the motion.

(Rep. Stafford in the Chair)

Rep. Cobleigh spoke against the motion.

Rep. Casey moved the previous question and it was sufficiently seconded.

The question being on the motion to indefinitely postpone HB 77.

Rep. Reddy requested the yeas and nays and it was sufficiently seconded.

## ROLL CALL

Indefinite Postponement

YEAS 175

MERRIMACK COUNTY: Enright, Gamache, Bartlett, Avery, Dempsey, Gilman, Greeley, Laroche, Henry, Horan, Howland, Glavin, Welch, Donald J., Tarr.

ROCKINGHAM COUNTY: Adams, Gay, DeCesare, Morrison, Schwaner, Sewall, Twardus, Randall, Anthony T., Cheney, George L., Casassa, Ratoff, Keefe, Maynard, McEachern, Archie D., Dorley, Quirk, Dame, McEachern, Joseph A.

STRAFFORD COUNTY: Dawson, Drew, Robert B., Joncas, Maloomian, Habel, Chasse, Boire, Dumais, Rolfe, Berkey, Vickery, Beaudoin, Levesque, Preston, Smith, Richard L., Clement, Tripp, Pray, Bernard, Webber, Murphy, Peter J., Young, Richardson, Harriett, W. B.

SULLIVAN COUNTY: Gaffney, Omer A., Rousseau, Nahil, Barrows, Hamilton, Coggeshall, Downing.

BELNAP COUNTY: Urie, Lawton, deBlois, Dearborn, Normandin, Head.

CARROLL COUNTY: Davis, Esther M., Claflin, Fox.

CHESHIRE COUNTY: Ballam, Johnson, Edward A., Danielchik, Austin, Cournoyer, McGinness, Allen, James F., Bennett, Jennie B., Johnson, Elmer L., Saunders, Callahan, Walker.

COOS COUNTY: Bushey, Manning, A. George, O'Hara, Dubey, Fortier, Roy, Edgar J., Desilets, Studd, York, Elmer H., Brungot, Lemire, McQuin, Gagnon, Parent, Theriault, Richardson, Mabel L.

GRAFTON COUNTY: McGee, Brummer, Bennett, Phil A., Dow, Duhaime, Roger M., Tremblay, Blain.

HILLSBOROUGH COUNTY: Aucella, Vallee, Weilbrenner, Fortin, Bouchard, Belcourt, LaPlante, Roland, H., Lesage, Cote, Peter, R., Drabinowicz, Mason, Desmarais, Lachance, Poliquin, Bouley, Chamard, Cote, Margaret, S., Aubut, Boisvert, Wilfred, A., Dion, Robert A., Dubois, Sirois, Bissonnette, Coutermarsh, Bednar, Lynch, Keeney, Loxton, Gardner, William, J., Murphy, Francis, Bruton, Dion, Leo L., Cullity, McDermott, Betley, Manning, Thomas E., Walsh, Edward J.,

Casey, Clancy, Healy, Lomazzo, O'Connor, Michael F., LaFrance, Leclerc, Martel, Thibeault, Bernier, Campono, Champagne, Chevrette, Delisle, Derome, Walsh, Michael P., O'Connor, James P., Clear, Nourie, Storm, Lavasseur, Nalette, Allard, Lambert, Lavallee, Lesmerises, Rousseau, Hector, J., Burke, Grady, McGrail, Vachon.

## NAYS 197

MERRIMACK COUNTY: Andrews, Sherman, Bigelow, Reed, Irene L., Gile, Reddy, Hanson, Goff, Robinson, Mousseau, Kopperl, Bent, Burleigh, Mattice, Welch, Alfred E., Michels, Cate, York, Edward H., Davis, Alice, Cheney, Charles H., Sr., McLane, Phillips, Smith, Roger A., Andersen, Chris K., MacDonald, Sanders, Fuller, Howard, C. Edwin, Newell, Chase, Lila S.

ROCKINGHAM COUNTY: Fernald, Stimmell, Persson, Griffin, Hall, Ormiston, Read, Maurice W., Senter, Gelt, Morrill, Marden, Sayer, White, George W., Sr., Palmer, Spollett, Cummings, Underwood, Goodrich, Scamman, Collishaw, Eastman, Gage, Junkins, Varrill, Hamel, Fiske, Shindledecker, Leavitt, Greene, Hammond, Lockhart, Weeks, Bowles, Osborn, White, Julia H., Coussoule, Splaine, Bowlen, Croft.

STRAFFORD COUNTY: Canney, Tebbetts, Morrow, Clark, Shirley M., Cochrane, Shirley, Tirrell, Hebert, Thompson, Barbara C., Hussey, Peabody, Raymond B., Leighton, Kinney, Parnagian, Maglaras.

SULLIVAN COUNTY: Logan, Mackintosh, Angus, Campbell, Spaulding, Saggiotes, Tracey, Frizzell, Galbraith, Williamson.

BELNAP COUNTY: Allan, Stuart B., Roberts, Charles B., Randall, Earle F., Nighswander, Wuelper, Roberts, George B., Mutzbauer, Martin, Prescott, Dulac, Randlett, Foster, Claude W.

CARROLL COUNTY: Howard, Donald K., Cox, Roberts, Milburn F., Hayes, Remick, Davis, Dorothy W., Hickey, Chase, Russell C.

CHESHIRE COUNTY: Churchill, Forbes, Trowbridge, Dunham, Hackler, Thompson, Willard L., O'Neil, Battenfeld, Tasoulas, Raymond, Pollock, Heald, Cleon E., Mackenzie, Barker, Sheldon L., Moran, Drew, Harold F.

COOS COUNTY: Huggins, Noyes, Hunt, Drake, Shute, Burns, Oleson, Thurston.

GRAFTON COUNTY: Gardner, Van H., Rich, Stevenson, Tilton, Higgins, McMeekin, Anderson, Fayne E., Park, Cone, Radway, Smith, Manson B., Foster, Carl P., Merrill, Dudley, Ellms, Hopkins, Buckman, Bell, Sears, Karsten, Mitchell.

HILLSBOROUGH COUNTY: Eaton, Sterling, Sawyer, Brown, Knight, Poehlman, Nixon, Daloz, Mann, Murray, Karnis, Heald, Philip C., Jr., Warren, Coburn, Ferguson, Bragdon, Spalding, Kenneth W., Bridges, Brocklebank, Wallin, Barker, Helen A., Record, Cobleigh, Cares, Watson, Goode, Vanloan, Carmen, Carrier, Milne, Zachos, Montplaisir, Nyberg, Cote, Joseph, Raiche, Belanger, Goedecke, Sweeney.

### PAIRS

Rep. Arthur Peabody voting Yes with Rep. Greenwood voting no.

Rep. Carter voting Yes with Rep. Chamberlin voting no.  
and the motion to indefinitely postpone was lost.

Rep. Sweeney of Manchester asked that his vote be recorded in favor of indefinite postponement but the request was too late for consideration.

(Speaker in the Chair)

The question now being on the adoption of the committee amendment.

Rep. deBlois called for the yeas and nays seconded by Rep. Brungot.

Rep. deBlois withdrew his request for the yeas and nays.

Rep. A. George Manning requested a division.

234 members having voted in the affirmative and 109 in the negative the committee amendment was adopted.

Rep. Keeney offered the following amendment.

### AMENDMENT

Amend section 3 of said bill by striking out the same and inserting in place thereof the following sections:

3 Referendum. This act shall not take effect unless it is adopted as hereinafter provided. The secretary of state shall cause to be inserted upon the official ballot used at the biennial election in November, 1970, the following question: "Do you approve of permitting abortion in certain cases by the adoption of an act entitled "An Act permitting abortion in certain cases" as passed at the 1969 session of the general court?" Beneath this question shall be printed the word "Yes" and the word "No" with a square immediately opposite each word, in which the voter may indicate his choice. The referendum relative to the adoption of this act shall be conducted in every way, except as otherwise herein provided in the same manner as the election of candidates for office at said biennial election. If a majority of the legal voters of the state present and voting upon said question at said election shall vote in the affirmative on this question, this act shall be declared to have been adopted. At said election the selectmen of the various towns shall insert on the warrants for said election an article calling for the consideration of said question.

4 Effective Date. Section 3 of this act shall take effect upon its passage and if the act shall be adopted at the November, 1970 election the remainder of the act shall take effect as of December 15, 1970. If the act shall not be adopted at said November election, this act shall be declared null and void.

\* \* \*

The Clerk read the amendment in full.

Rep. Keeney spoke in favor of the amendment.

Rep. Maloomian spoke in favor of the amendment.

Reps. Stafford and O'Neil spoke against the amendment.

Rep. Keeney requested the yeas and nays on her amendment, seconded by Rep. Albina Martel.

## ROLL CALL

Keeney Amendment

YEAS 159

HILLSBOROUGH COUNTY: Vallee, Weilbrenner, Fortin, Belcourt, LaPlante, Roland H., Lesage, Cote, Peter R., Drabnowicz, Mason, Desmarais, Lachance, Bouley, Chamard, Cote,

Margaret S., Aubut, Boisvert, Wilfred A., Dion, Robert A., Dubois, Sirois, Bissonnette, Coutermarsh, Bednar, Lynch, Keeney, Peabody, Arthur H., Loxton, Murphy, Francis, Burton, Cote, Joseph, Dion, Leo L., Cullity, McDermott, Betley, Manning, Thomas E., Walsh, Edward J., Casey, Clancy, Healy, Lomazzo, O'Connor, Michael F., LaFrance, Leclerc, Martel, Thibeault, Bernier, Campono, Champagne, Chevrette, Delisle, Derome, Raiche, Walsh, Michael P., O'Connor, James P., Sweeney, Clear, Nourie, Storm, Levasseur, Nalette, Allard, Lambert, Lavallee, Lesmerises, Rousseau, Hector J., Burke, Grady, McGrail, Vachon.

MERRIMACK COUNTY: Beauchesne, Enright, Gamache, Avery, Dempsey, Gilman, Greeley, Laroche, Horan, Howland, Howard, C. Edwin, Tarr.

ROCKINGHAM COUNTY: Adams, Gay, DeCesare, Morrison, White, George W., Sr., Schwaner, Sewall, Twardus, Randall, Anthony T., Cheney, George L., Casassa, Ratoff, Keefe, Maynard, McEachern, Archie D., Dorley, Quirk, McEachern, Joseph A., Splaine.

STRAFFORD COUNTY: Dawson, Drew, Robert, B., Morrow, Joncas, Maloomian, Habel, Chasse, Boire, Dumais, Berkey, Vickery, Beaudoin, Levesque, Preston, Smith, Richard L., Clement, Tripp, Pray, Bernard, Webber, Murphy, Peter J., Young, Richardson, Harriett W. B.

SULLIVAN COUNTY: Gaffney, Omer A., Rousseau, Campbell, Barrows, Coggeshall, Downing, Merrifield.

BELKNAP COUNTY: Lawton, deBlois.

CARROLL COUNTY: None.

CHESHIRE COUNTY: Ballam, Danielchik, Cournoyer, McGinness, Johnson, Elmer L., Saunders, Callahan.

COOS COUNTY: Bushey, Manning, A. George, O'Hara, Oleson, Fortier, Roy, Edgar J., Desilets, Studd, York, Elmer H., Brungot, Lemire, McCuin, Gagnon, Parent, Theriault.

GRAFTON COUNTY: McGee, Brummer, Bennett, Phil A., Tremblay, Blain.

## NAYS 217

HILLSBOROUGH COUNTY: Aucella, Eaton, Sterling, Sawyer,



Knight, Poehlman, Nixon, Daloz, Mann, Murray, Karnis, Heald, Philip C., Jr., Warren, Carter, Coburn, Ferguson, Bragdon, Spalding, Kenneth W., Bridges, Brocklebank, Bouchard, Wallin, Barker, Helen A., Record, Poliquin, Cares, Watson, Goode, Van Loan, Carmen, Carrier, Milne, Zachos, Gardner, William J., Montplaisir, Nyberg, Belanger, Goedecke.

MERRIMACK COUNTY: Andrews, Sherman, Bigelow, Reed, Irene L., Gile, Reddy, Hanson, Goff, Robinson, Bartlett, Mousseau, Kopperl, Bent, Burleigh, Mattice, Welch, Alfred E., Michels, Cate, York, Edward H., Davis, Alice, Henry, Cheney, Charles H., Sr., McLane, Phillips, Smith, Roger A., Andersen, Chris K., MacDonald, Sanders, Fuller, Glavin, Newell, Chase, Lila S., Welch, Donald J.

ROCKINGHAM COUNTY: Fernald, Stimmell, Persson, Griffin, Hall, Ormiston, Read, Maurice W., Senter, Gelt, Morrill, Marden, Sayer, Palmer, Spollett, Cummings, Underwood, Goodrich, Scamman, Collishaw, Eastman, Gage, Junkins, Varrill, Hamel, Fiske, Shindledecker, Leavitt, Greene, Hammond, Lockhart, Weeks, Bowles, Dame, Osborn, White, Julia H., Coussoule, Bowlen, Croft.

STRAFFORD COUNTY: Canney, Tebbetts, Clark, Shirley M., Cochrane, Shirley, Tirrell, Hebert, Rolfe, Thompson, Barbara C., Hussey, Peabody, Raymond B., Leighton, Fellows, Kinney, Parnagian, Maglaras.

SULLIVAN COUNTY: Logan, Angus, Nahil, Spaulding, Roma A., Hamilton, Saggiotes, Tracey, Frizzell, Galbraith, Williamson.

BELKNAP COUNTY: Urie, Allan, Stuart B., Roberts, Charles B., Randall, Earle F., Nighswander, Wuelper, Roberts, George B., Mutzbauer, Martin, Dearborn, Normandin, Head, Prescott, Dulac, Randlett, Foster, Claude W., Stafford.

CARROLL COUNTY: Howard, Donalda K., Cox, Roberts, Milburn F., Hayes, Remick, Davis, Dorothy W., Hickey, Chase, Russell C., Claffin, Fox.

CHESHIRE COUNTY: Johnson, Edward A., Churchill, Forbes, Trowbridge, Austin, Allen, James F., Bennett, Jennie B., Dunham, Hackler, Thompson, Willard L., O'Neil, Battenfeld, Tasoulas, Raymond, Pollock, Heald, Cleon E., Mackenzie, Walker, Barker, Sheldon L., Moran, Drew, Harold F.

COOS COUNTY: Huggins, Noyes, Hunt, Drake, Shute, Burns, Dubey, Thurston, Richardson, Mabel L.

GRAFTON COUNTY: Gardner, Van H., Rich, Stevenson, Tilton, Higgins, McMeekin, Anderson, Fayne E., Park, Cone, Radway, Smith, Manson B., Dow, Foster, Carl P., Duhaime, Roger M., Merrill, Dudley, Ellms, Hopkins, Buckman, Bell, Sears, Karsten, Mitchell.

and the amendment lost.

The question now being, shall the bill be read a third time.

Ordered to a third reading by vv.

On motion of Rep. Stafford the House adjourned from the early session and the Rules of the House were so far suspended as to permit the reading of bills by title only and that when the House adjourns today it be to meet tomorrow at 11:00 o'clock.

### LATE SESSION THIRD READING

HB 77, permitting abortion in certain cases, was read a third time.

Rep. Elmer York demanded the yeas and nays seconded by Rep. Wilfred Boisvert.

### PARLIAMENTARY INQUIRY

Rep. Trowbridge rose on a point of parliamentary inquiry.

The Chair ruled that any member may call for the yeas and nays and if seconded, in accordance with the Rules of the House, by one person, he cannot be denied his constitutional rights.

The question now being, shall the bill pass.

### ROLL CALL

Final Passage

YEAS 204

COOS COUNTY: Huggins, Noyes, Hunt, Drake, Shute, Burns, Oleson, Thurston, Richardson, Mabel L.

**GRAFTON COUNTY:** Gardner, Van H., Rich, Stevenson, Tilton, Higgins, McMeekin, Anderson, Fayne E., Park, Cone, Radway, Smith, Manson B., Foster, Carl P., Merrill, Dudley, Ellms, Hopkins, Buckman, Bell, Sears, Karsten, Mitchell.

**HILLSBOROUGH COUNTY:** Eaton, Sterling, Sawyer, Brown, Knight, Poehlman, Nixon, Daloz, Mann, Murray, Karnis, Heald, Philip C., Jr., Warren, Coburn, Ferguson, Bragdon, Spalding, Kenneth W., Bridges, Brocklebank, Wallin, Barker, Helen A., Record, Cares, Watson, Goode, Van Loan, Carmen, Carrier, Milne, Zachos, Montplaisir, Nyberg, Cote, Joseph, Raiche, Belanger, Goedecke.

**MERRIMACK COUNTY:** Andrews, Sherman, Bigelow, Reed, Irene L., Gile, Reddy, Hanson, Goff, Robinson, Bartlett, Mousseau, Kopperl, Bent, Burleigh, Gilman, Mattice, Welch, Alfred E., Michels, Cate, York, Edward H., Davis, Alice, Cheney, Charles H., Sr., McLane, Phillips, Andersen, Chris K., MacDonald, Fuller, Howard, C. Edwin, Newell, Chase, Lila S., Welch, Donald J.

**ROCKINGHAM COUNTY:** Fernald, Stimmell, Persson, Griffin, Hall, Ormiston, Read, Maurice W., Senter, Gelt, Morrill, Marden, Sayer, Palmer, Spollett, Cummings, Underwood, Goodrich, Scamman, Collishaw, Eastman, Gage, Junkins, Varrill, Hamel, Fiske, Shindledecker, Leavitt, Greene, Hammond, Lockhart, Weeks, Bowles, Osborn, White, Julia H., Cousoule, Splaine, Bowlen, Croft.

**STRAFFORD COUNTY:** Canney, Tebbetts, Morrow, Clark, Shirley M., Cochrane, Shirley, Tirrell, Hebert, Thompson, Barbara C., Hussey, Vickery, Peabody, Raymond B., Leighton, Fellows, Kinney, Parnagian, Maglaras.

**SULLIVAN COUNTY:** Logan, Mackintosh, Gaffney, Angus, Campbell, Nahil, Spaulding, Roma A., Barrows, Tracey, Frizzell, Galbraith, Williamson.

**BELKNAP COUNTY:** Urie, Allan, Stuart, B., Roberts, Charles B., Randall, Earle, F., Nighswander, Wuelper, Roberts, George B., Mutzbauer, Martin, Head, Prescott, Dulac, Randlett, Foster, Claude, W.

**CARROLL COUNTY:** Howard, Donalda K., Cox, Roberts, Milburn F., Hayes, Remick, Davis, Dorothy W., Hickey, Chase, Russell C.

CHESHIRE COUNTY: Churchill, Forbes, Trowbridge, Allen, James F., Dunham, Hackler, Thompson, Willard L., O'Neil, Battenfeld, Tasoulas, Raymond, Pollock, Heald, Cleon, E., Mackenzie, Barker, Sheldon L., Moran, Drew, Harold F.

## NAYS 171

COOS COUNTY: Bushey, Manning, A. George, O'Hara, Dubey, Fortier, Roy, Edgar J., Desilets, Studd, York, Elmer H., Brungot, Lemire, McQuin, Gagnon, Parent, Theriault.

GRAFTON COUNTY: McGee, Brummer, Bennett, Phil A., Dow, Duhaime, Roger M., Tremblay, Blain.

HILLSBOROUGH COUNTY: Aucella, Vallee, Weillbrenner, Fortin, Carter, Bouchard, Belcourt, LaPlante, Roland H., Lesage, Cote, Peter R., Drabinowicz, Mason, Desmarais, Lachance, Poliquin, Bouley, Chamard, Cote, Margaret S., Aubut, Boisvert, Wilfred A., Dion, Robert A., Dubois, Sirois, Bissonnette, Coutermarsh, Bednar, Lynch, Keeney, Peabody, Arthur H., Loxton, Gardner, William J., Murphy, Francis, Bruton, Dion, Leo L., Cullity, McDermott, Betley, Manning, Thomas E., Walsh, Edward J., Casey, Clancy, Healy, Lomazzo, O'Connor, Michael F., LaFrance, Leclerc, Martel, Thibeault, Bernier, Campono, Champagne, Chevrette, Delisle, Derome, Walsh, Michael P., O'Connor, James P., Sweeney, Clear, Nourie, Storm, Levasseur, Nalette, Allard, Lambert, Lavallee, Lesmerises, Rousseau, Hector J., Burke, Grady, McGrail, Vachon.

MERRIMACK COUNTY: Beauchesne, Enright, Gamache, Avery, Dempsey, Greeley, Laroche, Henry, Horan, Howland, Sanders, Glavin, Tarr.

ROCKINGHAM COUNTY: Adams, Gay, DeCesare, Morrison, White, George W., Sr., Schwaner, Sewall, Twardus, Randall, Anthony T., Cheney, George L., Casassa, Ratoff, Keefe, Maynard, McEachern, Archie D., Dorley, Quick, Dame, McEachern, Joseph A.

STRAFFORD COUNTY: Dawson, Drew, Robert B., Joncas, Maloomian, Habel, Chasse, Boire, Dumais, Rolfe, Berkey, Beaudoin, Levesque, Preston, Smith, Richard L., Clement, Tripp, Pray, Bernard, Webber, Murphy, Peter J., Young, Richardson, Harriett, W. B.

SULLIVAN COUNTY: Omer A. Rousseau, Hamilton, Coggeshall, Downing, Merrifield.

BELNAP COUNTY: Lawton, Deblois, Dearborn, Normandin, Stafford.

CARROLL COUNTY: Claflin, Fox.

CHESHIRE COUNTY: Ballam, Johnson, Edward A., Danielchik, Austin, Cournoyer, McGinness, Bennett, Jennie B., Johnson, Elmer L., Saunders, Callahan, Walker.

and the bill passed.

On motion of Rep. Wallin the House adjourned at 6:36 P.M.

---

## *Thursday, February 20, 1969*

The House met at 11:00 o'clock.

### HOUSE

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

Almighty God, as Thou didst teach our fathers to love liberty and to seek justice, never withholding Thy Divine Providence nor forcing Thy Divine Will upon us, so teach us this day to guard our inheritance and to preserve it all the days of our life. Thy Word has been a lamp unto our feet and a light unto our path. Forgive our iniquities. Cleanse our hearts. Renew our minds. Restore the energies of our wills. Cause us to live righteousness, to desire purity, to establish justice. Let the love of Christ and the love of our neighbor burn brightly and steadily in our hearts. Let the skies drop righteousness and peace upon our nation and upon the world. Unto Thy glory, O Lord, may we ever seek to bring to pass that for which we pray. Amen.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Forbes led the House in the Pledge of Allegiance to the Flag.

## LEAVES OF ABSENCE

Rep. Sawyer was granted leave of absence for the day on account of illness.

Rep. Parnagian was granted leave of absence for the day on account of illness in the family.

Reps. Richard Smith, Van Loan, Vallee and Clement were granted leave of absence for the day on account of important business.

## GUESTS OF THE HOUSE

The Chair announced we have the following guests in the House today:

Senior students from the High Schools throughout the state that have been chosen by their classes as outstanding "Good Citizens". They are being honored today by the State Society Daughters of the American Revolution.

\* \* \*

## RESOLUTION

Rep. McMeekin offered the following resolution:

*Resolved*, that in accordance with the list in the possession of the clerk, House Bills numbered 323, 373 and 381 through 404 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.

## INTRODUCTION OF BILLS

The following bills were read a first and second time, laid on the table for printing and referred as follows:

HB 323, to provide for the revision of the personal property tax and to impose a tax on income and on retail sales. (Cone of Grafton Dist. 9 — To Ways & Means.)

HB 373, imposing a tax upon retail sales. (Galbraith of Sullivan Dist. 7 — To Ways & Means.)



HB 381, relative to the filing of a financial statement by organizations seeking tax exemptions. (Cate of Merrimack Dist. 20 — To Ways & Means.)

HB 382, taxing certain property of the state, cities and towns. (Cate of Merrimack Dist. 20 — To Municipal & County Government.)

HB 383, to prevent spillage of gravel, sand, and related substances. (Brocklebank of Hillsborough Dist. 13, Casassa of Rockingham Dist. 20, Daloz of Hillsborough Dist. 6 — To Public Works.)

HB 384, relative to qualifications for persons seeking the office of county attorney. (Raiche of Hillsborough Dist. 34 — To Statutory Revision.)

HB 385, relative to area industrial agents-at-large. (Coutermarsh of Hillsborough Dist. 22 — To Appropriations.)

HB 386, relative to the investment of savings deposits by a bank doing a general banking business. (Reddy of Merrimack Dist. 5 — To Banks & Insurance.)

HB 387, relative to the enforceability of small loans made outside of the state. (Reddy of Merrimack Dist. 5 — To Banks & Insurance.)

HB 388, increasing the interest rates upon overdue taxes and upon the amount due when redeeming after a tax sale. (Hanson of Merrimack Dist. 6 — To Statutory Revision.)

HB 389, relative to the treatment and prevention of alcohol and drug abuse and making appropriations therefor. (Zachos of Hillsborough Dist. 27, Knight of Hillsborough Dist. 4 — To Judiciary.)

HB 390, relative to hazardous and dilapidated buildings. (Wallin of Hillsborough Dist. 14 — To Municipal & County Government.)

HB 391, relating to filing notices under the timber conservation act and requiring an owner to furnish security for payment of the yield tax. (Leavitt of Rockingham Dist. 21 — To Agriculture.)

HB 392, increasing the tax upon the sale of motor fuel. (Trowbridge of Cheshire Dist. 4 — To Ways & Means.)

HB 393, relative to increasing the travel allowance to members of the legislature. (Fortier of Coos Dist. 6, Davis of Carroll Dist. 2 — To Constitutional Revision.)

HB 394, allowing for tax incentives for commercial and industrial growth. (Sayer of Rockingham Dist. 7 — To Ways & Means.)

HB 395, relating to certain vocational rehabilitation programs. (Thompson of Strafford Dist. 11 — To Labor, Human Resources & Rehabilitation.)

HB 396, relative to printing statutes. (Morrill of Rockingham Dist. 7 — To Statutory Revision.)

HB 397, providing for the acquisition of certain lands to provide for the construction of a lake management structure at the outlet of Lake Gardner in Bath and making an appropriation therefor. (McMeekin of Grafton Dist. 6, Chamberlin of Grafton Dist. 5 — To Resources, Recreation & Development.)

HB 398, relative to accident and health insurance of physically and mentally handicapped dependents. (Murray of Hillsborough Dist. 7 — To Banks & Insurance.)

HB 399, establishing the office of state dog marshal and raising funds for the support therefor. (Karnis of Hillsborough Dist. 8 — To Municipal & County Government.)

HB 400, establishing an office of municipal services and making an appropriation therefor. (Raiche of Hillsborough Dist. 34, Cares of Hillsborough Dist. 24 — To Municipal & County Government.)

HB 401, relative to compulsory school attendance, dual enrollment and transportation of pupils. (Radway of Grafton Dist. 9 — To Education.)

HB 402, relative to the assessment of taxes on electrical plants and pipelines. (Cate of Merrimack Dist. 20, Bridges of Hillsborough Dist. 13 — To Ways & Means.)

HB 403, providing for a state tax on personal income and distributing surpluses in the general fund. (Scammon of Rockingham Dist. 15 — To Ways and Means.)

HB 404, to establish a kindergarten program. (Raiche of Hillsborough Dist. 34 — To Education.)

Rep. Roma Spaulding called for the Special Order on HB 201, allowing local option by towns in granting to veterans the service exemption from property taxes. The question being on the motion to substitute the words "ought to pass" for committee report "inexpedient to legislate".

Rep. Greenwood spoke against the motion.

(discussion ensued)

Reps. Twardus and Varrill spoke against the motion.

(discussion ensued)

Rep. Roma Spaulding spoke in favor of the motion.

Motion lost by vv.

The question now being on the resolution of the committee, inexpedient to legislate.

Motion adopted by vv.

\* \* \*

#### SENATE MESSAGE

The Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 1, to provide for a citizens task force to study the effectiveness of state government.

#### AMENDMENT

Amend the introductory phrase of Section 1 of the bill by inserting at the end thereof the following (recommend measures to the Governor which) so that said introductory phrase shall read as follows:

1 Organization Established. There is hereby established a Citizens Task Force to Study the Effectiveness of State Government, hereinafter referred to as citizens task force. The purpose of said citizens task force is to recommend measures to the Governor which will:

Amend the bill by striking out section 2 and inserting in place thereof the following:

2 Membership. The governor is authorized to appoint a chairman of the citizens task force and as many additional members as he shall deem necessary and proper in order to carry out the duties of the citizens task force as set forth in this act. The citizens task force shall be under the direction of an executive committee which shall be presided over by the chairman. Said executive committee shall be composed of fifteen members. Eleven of said members shall be appointed by the governor. Two of said members shall be members of the house, to be appointed by the speaker. Two of said members shall be members of the senate, to be appointed by the president of the senate. The governor shall convene the first meeting of the citizens task force.

Further amend the bill by striking out section 3 and inserting in place thereof the following:

3 Staff. The governor shall appoint an executive director of the citizens task force and such other staff assistants as he shall deem necessary and proper. The governor shall set the compensation for all such staff members with the approval of the executive council and such staff members shall be allowed their necessary expenses while engaged in official business. The governor may temporarily assign to the citizens task force classified or unclassified state employees having skills or specialized knowledge which would be of use to said task force. The compensation of such temporarily assigned employees shall continue to be a charge upon their regular departments, but travel and other expenses shall be a charge upon the appropriation for the task force.

Further amend section 8 of the bill by striking out in line nine the words and figures "December 15, 1969" and inserting in place thereof the following (fifteen days prior to the convening of any special session of the general court called to consider the report and recommendations of the task force, or on or before fifteen days prior to the convening of the next regular session of the general court if no such special session is called) so that said section as amended shall read as follows:

8 Reports. The citizens task force shall make a report of its findings and recommendations to the governor, the speaker of the house and the president of the senate not later than November 1, 1969, and may make further reports to said officers if deemed advisable. All such reports shall be public documents

and copies shall be filed with the secretary of state and with the law librarian of the state library. Any legislation proposed by the citizens task force shall be submitted in final form to the speaker of the house and the president of the senate on or before fifteen days prior to the convening of any special session of the general court called to consider the report and recommendations of the task force, or on or before fifteen days prior to the convening of the next regular session of the general court if no such special session is called.

\* \* \*

Rep. Drake moved that the House concur in the Senate amendment and spoke in favor of the motion.

Rep. Belcourt spoke in favor of the motion.

At the request of Rep. Newell, Rep. Drake answered questions.

Motion adopted by vv.

\* \* \*

#### FURTHER SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 89, authorizing the correction of certain technical errors prior to printing the statutes.

HB 94, relative to preparation of bills for submission to the governor.

HB 95, adopting the interstate regional planning compact and authorizing the state to enter into such compact with contiguous states.

HB 135, to abolish the water commission in the town of Charlestown and transfer its functions to the selectmen.

HB 164, relative to the size of pages of the volumes of the session laws.

HB 194, creating a planning board for New Hampton Village Precinct.

## FURTHER SENATE MESSAGE

The Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 93, to clarify the statutes regulating the deadline for submission of articles to be inserted in the warrant.

## AMENDMENT

Amend the title of the bill by striking out the same and inserting in place thereof the following:

## AN ACT

changing the deadline for submission of articles  
to be inserted in the warrant.

Rep. Hanson moved that the House concur in the Senate amendment.

Motion adopted by vv.

## FURTHER SENATE MESSAGE

The Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 96, providing for the appointment of certain officers at additional polling places and authorizing the administration of certain oaths.

## AMENDMENT

Amend the bill by striking out section 2 and inserting in place thereof the following:

2 Effective Date. This act shall take effect upon its passage.

Rep. Hanson moved that the House concur in the Senate amendment.

Motion adopted by vv.



## FURTHER SENATE MESSAGE

The Senate has passed the following resolution:

Relative to a free trade zone at Machiasport, Maine.

## COMMITTEE ON ENGROSSED BILLS REPORT

SB 24, An Act relative to authority of legislature to repeal the charter of a voluntary corporation. Roxie A. Forbes for the Committee on Engrossed Bills under Joint Rule 15, Ought to pass with amendment.

## AMENDMENT

Amend said bill by striking out the first three lines and inserting in place thereof the following.

1 Voluntary Corporations. Amend RSA 292 by inserting at the end thereof the following new subdivision:

## Legislative Amendment

292:22 Legislative Amendment. The legislature may at any time alter, amend or repeal the charter of any voluntary

\* \* \*

On motion of Rep. McMeekin the House concurred.

## COMMITTEE REPORTS

HJR 24, making an appropriation for the 1969 World Cup Ski Championships at Waterville Valley in New Hampshire. Rep. Ferguson for Appropriations. Inexpedient to legislate.

Rep. MacKenzie moved that the words "ought to pass with amendment" be substituted for the committee report "inexpedient to legislate" and spoke in favor of the motion.

## AMENDMENT

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

The sum of fifteen thousand dollars is hereby appropriated to be expended by the department of resources and economic development to meet necessary expenses in connection with

this event. The sum appropriated shall be used by the said department for advertising, promotion, press facilities, press kits and ceremonial materials. No portion of this appropriation may be used for expenses in connection with the preparation of the Waterville Valley location for the event or to be expended for any capital improvements of the area. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

(discussion ensued)

\* \* \*

Rep. Ferguson moved that HJR 24 be indefinitely postponed and spoke in favor of the motion.

#### PARLIAMENTARY INQUIRY

Rep. Williamson rose on a point of parliamentary inquiry.

The Chair stated that a point of parliamentary inquiry takes precedent over a speech. The Chair further stated the member is giving his reason for indefinite postponement of the bill therefore Rep. Ferguson may continue with his talk.

\* \* \*

The Chair announced that a member had sought to serve Notice of Reconsideration on HB 77. The Chair stated under the Rules, House Rule 28B, notice of reconsideration shall be in order only when given to the House prior to one-half hour after the convening of the House on the day subsequent to final action on the bill.

Therefore the Chair regretfully declined reconsideration on HB 77 as set forth under the Rules.

\* \* \*

Reps. Cone, McLane, Mitchell, Williamson, Stafford and Trowbridge spoke against the motion.

(discussion ensued)

Reps. Belcourt, Cate, Lawton, deBlois, Edward York, Milburn Roberts and Eaton spoke in favor of the motion.

## PARLIAMENTARY INQUIRY

Rep. Chris Andersen rose on a point of parliamentary inquiry.

The Chair ruled that a motion on the question limits debate on the current subject and limits debate on any subsequent amendments.

At the request of Rep. Lemire, Rep. MacKenzie answered a question.

Rep. Wilfred Boisvert moved the previous question and it was sufficiently seconded.

The question being to limit debate.

Motion adopted by vv.

The question now being on the motion to indefinitely postpone HJR 24.

On a division vote it was manifestly in the affirmative and the motion carried.

\* \* \*

## COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred House Bill No. 41, An Act relative to the power of the director of fish and game for the protection of deer herds, having considered the same report the same with the following recommendation:

That the House recede from its position of nonconcurrence in the Senate amendment and concur in the adoption of the amendment as passed by the Senate.

RUSSELL A. MASON  
ELMER T. BOURQUE

Conferees on the part of the Senate

J. D. HAYES  
ALLAN CAMPBELL  
JAMES E. O'NEIL

Conferees on the part of the House

Report adopted by vv.

## RECESS

## AFTER RECESS

(Rep. Bridges in the Chair)

Rep. Newell rose on a point of privilege of the House. He asked:

Will the Joint Rules of the House and Senate be printed in the Manual of the General Court — the so-called black book?

The chair stated that the Joint Rules will be printed in a supplement to the Manual as the Senate has not yet adopted proposed amendments.

## COMMITTEE REPORTS CONTINUED

HB 228, to authorize cooperative banks and building and loan associations to invest in real estate. Rep. Randall for Banks and Insurance. Ought to pass with amendment.

## AMENDMENT

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Real Estate Investments. Amend RSA 393:24, I by striking out said paragraph and inserting in place thereof the following: I. In the purchase of houses and buildings used for dwellings, or the purchase of land and the construction of houses and buildings used for dwellings thereon located in New Hampshire and may sell, rent or lease the same. Not exceeding fifty per cent of the surplus, guaranty fund, undivided profits or unallocated reserves shall be invested in any one real estate tract or development. The book value of the investments in real estate so acquired by a cooperative bank or building and loan association shall not exceed five per cent of its shares. The authority herein granted shall not be construed to limit the authority granted by any applicable section of RSA Chapter 384 or any other section of RSA Chapter 393.

\* \* \*

Amendment adopted and the bill ordered to a third reading by vv.

HB 229, to authorize cooperative banks and building and loan associations to act as trustee for self-employed individual retirement plans. Rep. Delisle for Banks and Insurance. Ought to pass with amendment.

### AMENDMENT

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Custodian of Investment Funds. Amend RSA 393 by inserting after section 45-a, as inserted by 1965, 128:1 the following new section: 393:45-b Limited Trusteeship. A cooperative bank or building and loan association shall have power to act as trustee under a retirement plan established pursuant to the Act of Congress entitled "Self-employed Individuals Tax Retirement Act of 1962" as now or thereafter amended, provided that the provisions of such retirement plan require the funds of such trust to be invested exclusively in shares or accounts in the institution. In the event that any such retirement plan, which in the judgment of the institution, constitutes a qualified plan under said Self-employed Individuals Tax Retirement Act of 1962 and the regulations promulgated thereunder at the time the trust was established and accepted by the institution is subsequently determined not to be such a qualified plan or subsequently ceases to be such a qualified plan, in whole or in part, the institution may, nevertheless, continue to act as trustee of any shares theretofore purchased under such plan and to dispose of the same in accordance with the directions of the member and the beneficiaries thereof. No institution, in respect to shares purchased under this section, shall be required to segregate such shares from other shares of such institution, provided that the institution shall keep appropriate records showing in proper detail all transactions engaged in under the authority of this section. This section shall apply only to the amount of such shares as are insured by the Federal Savings and Loan Insurance Corporation.

\* \* \*

Amendment adopted and the bill ordered to a third reading by vv.

HJR 22, in favor of Alice V. Flanders. Rep. Sawyer for Claims, Military and Veterans Affairs. Ought to pass.

Resolution ordered to third reading by vv.

HJR 26, in favor of Thomas Binmore. Rep. Sawyer for Claims, Military and Veterans Affairs. Ought to pass.

Resolution ordered to third reading by vv.

HJR 29, in favor of the New Hampshire Veterans Association. Rep. Sawyer for Claims, Military and Veterans Affairs. Ought to pass.

Rep. Martin moved that HJR 29 be indefinitely postponed and spoke in favor of the motion.

(discussion ensued)

Reps. Varrill and Donald Welch spoke against the motion.

(discussion ensued)

### PARLIAMENTARY INQUIRY

Rep. deBlois rose on a point of parliamentary inquiry and asked if HJR 29 would go to Appropriations.

The Speaker ruled that HJR 29 would go to Appropriations.

Rep. Stafford requested a division and it was sufficiently seconded.

The question being on the motion to indefinitely postpone.

128 members having voted in the affirmative and 147 in the negative, the motion to indefinitely postpone lost.

The Chair referred HJR 29 to Appropriations under the Rules.

HB 138, to establish a Seabrook District Court. Rep. Dudley for Constitutional Revision. Ought to pass with amendment.

### AMENDMENT

Amend section 2, 3 and 4 of the bill by striking out the same and inserting in place thereof the following:

2 Seabrook District Court. Amend RSA 502-A:1 as inserted by 1963, 331:1 by inserting after paragraph VII the following new paragraph: VII-a Seabrook District. The Seabrook district shall consist of the towns of Seabrook, Hampton Falls



and South Hampton. The municipal court for the town of Seabrook is hereby constituted the district court in and for said district and shall be located in said Seabrook, holding sessions regularly therein and elsewhere in said district as justice may require. The name of said court shall be Seabrook District Court.

3 Effective Date. This act shall take effect sixty days after its passage.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

HB 69, establishing the New London district court. Rep. Dudley for Constitutional Revision. Ought to pass.

At the request of Rep. Irene Reed, Rep. Russell Chase answered questions.

Rep. Angus spoke in favor of the committee report.

Ordered to third reading by vv.

HB 174, establishing the Meredith district court. Rep. Dudley for Constitutional Revision. Ought to pass.

Ordered to third reading by vv.

HCR 3, relating to the vocational-technical institute system. Rep. Dunham for Education. Inexpedient to legislate.

Resolution adopted by vv.

HB 24, relative to the amount and evidentiary value of blood alcohol content. Rep. Brunner for the majority of the Judiciary committee. Inexpedient to legislate. Minority: Ought to pass with amendment.

## AMENDMENT

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Amounts of Blood Alcohol and Their Evidentiary Value. Amend RSA 262-A:63 as inserted by 1963, 330:1 by striking out said section and inserting in place thereof the following: 262-A:63 Evidence. In any criminal proceeding, or upon the

trial of any criminal action arising out of acts alleged to have been committed by any person while driving a vehicle while under the influence of intoxicating liquor, the amount of alcohol in the person's blood at the time alleged as shown by chemical analysis of the person's blood or urine shall give rise to the following presumptions:

I. If there was at that time five hundredths per cent or less by weight of alcohol in the person's blood, it shall be presumed that the person was not under the influence of intoxicating liquor.

II. If there was at that time in excess of five hundredths per cent but less than ten hundredths per cent by weight of alcohol in the person's blood, such fact shall not give rise to any presumption that the person was or was not under the influence of intoxicating liquor, but such fact may be considered with other competent evidence in determining whether the person was under the influence of intoxicating liquor.

III. If there was at that time ten hundredths per cent or more by weight of alcohol in the person's blood, it shall be presumed that the person was under the influence of intoxicating liquor.

Per cent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred grams of blood. The provisions of this section shall not be construed as limiting the introduction of any other competent evidence bearing upon the question whether the person was under the influence of intoxicating liquor.

Rep. Normandin  
Rep. Frizzell  
Rep. Andrews  
Rep. Griffin  
Rep. Wallin

\* \* \*

Rep. Andrews moved that the minority report, ought to pass with amendment be substituted for the majority report, inexpedient to legislate and spoke in favor of the motion.

Rep. Brummer spoke against the motion.

Reps. Normandin and Hamel spoke in favor of the motion.

Rep. Maloomian moved that HB 24 be indefinitely postponed and spoke in favor of the motion.

Rep. O'Neil spoke against the motion.

(discussion ensued)

Rep. Morrill spoke against the motion.

(discussion ensued)

Reps. Enright and Coutermarsh spoke in favor of the motion.

(discussion ensued)

Rep. Frizzell spoke against the motion, and demonstrated the effects of alcohol on individuals of varying weights.

(discussion ensued)

Rep. Healy spoke in favor of the motion.

Rep. Healy requested a quorum count.

There being 398 qualified members of the House, 266 members representing two-thirds of the membership. The count showed 279 members present and a quorum was declared present.

(discussion ensued)

Rep. Levesque moved the previous question and it was sufficiently seconded.

Motion adopted by vv.

The question being on the motion that HB 24 be indefinitely postponed.

Motion adopted by vv.

Rep. Cobleigh moved that the remainder of the calendar be made a special order of business for 11:01 Tuesday next.

Motion adopted by vv.

(Speaker in the Chair)

On motion of Rep. Stafford the House adjourned from the early session and the Rules of the House were so far suspended as

to permit the reading of bills by title only and Resolutions by caption only and that when the House adjourns today it be to meet Tuesday next at 11:00 o'clock.

\* \* \*

## LATE SESSION

### THIRD READINGS

The following bills and House Joint Resolutions were read a third time, passed, and sent to the Senate for concurrence.

HB 228, to authorize cooperative banks and buildings and loan association to invest in real estate.

HB 229, to authorize cooperative banks and buildings and loan associations to act as trustee for self-employed individual retirement plans.

HJR 22, in favor of Alice V. Flanders.

HJR 26, in favor of Thomas Binmore.

HB 138, to establish a Seabrook District court.

\* \* \*

### RECONSIDERATION

Rep. Hamel, having voted with the majority, moved that the House reconsider its action whereby it passed HB 138 and spoke against the motion.

Motion lost by vv.

\* \* \*

### THIRD READINGS CONTINUED

HB 69, establishing the New London district court.

\* \* \*

### RECONSIDERATION

Rep. Andrews, having voted with the majority, moved that the House reconsider its action whereby it passed HB 69 and spoke against the motion.

Motion lost by vv.

## THIRD READINGS CONTINUED

HB 174, establishing the Meredith district court.

## RECONSIDERATION

Rep. Stuart Allan, having voted with the majority, moved that the House reconsider its action whereby it passed HB 174 and spoke against the motion.

Motion lost by vv.

\* \* \*

On motion of Rep. Maloomian the House adjourned at 5:24 P.M.

---

*Thursday, February 27, 1969*

## HOUSE

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

O GOD of LOVE, by whose grace we live and move and have our being, we thank Thee for the opportunities of this new day. Disturb us when we go astray; discipline us when we are willfull; hearten us when we are discouraged; strengthen us when we are perplexed. Deliver us from all hindrances that would keep us from doing good, and help us to cling to the good in ourselves and in others. By the manner of our living, the use of our talents, the words of our lips, and the deeds of our hands, may grace be channeled through us to bring righteousness and justice, peace and good-will, health and joy to all mankind. Endow the Members of this Joint Convention with steadfast faith and confidence in the triumph of righteousness. Bless us with the virtues of the Master and help us to do all things unto Thy glory and honor. Amen.

## PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Leavitt led the House in the Pledge of Allegiance to the Flag.

## LEAVES OF ABSENCE

Reps. Downing, Irene Reed, Morrow and Blaine were granted leave of absence for the day on account of illness.

Reps. Hoar, Marden and Ernest Clark were granted indefinite leave of absence on account of illness.

Rep. Derome was granted leave of absence on account of a death in the family.

Rep. Park was granted indefinite leave of absence on account of a death in the family.

Reps. Morrison and Schwaner were granted leave of absence for the day on account of the weather.

\* \* \*

Rep. Eaton moved that the Mileage Clerk be instructed to pay their standard mileage payments to all members of the General Court for Tuesday and Wednesday, February 25 and 26, that no member of the House be recorded as absent, and that the convening of the House at 11:00 o'clock today be declared a valid and legal convening and be hereby approved, and that the emergency action of the Speaker be ratified.

(discussion ensued)

Reps. Angus and Logan spoke in favor of the motion.

Motion adopted by vv.

\* \* \*

Rep. Newell wishes to be recorded as voting against the motion.

\* \* \*

## ENGROSSED BILLS COMMITTEE REPORT

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills:

HB 1, An Act to provide for a citizens task force to study the effectiveness of state government.



HB 71, An Act relative to filing with the secretary of state information regarding village districts established under the general laws.

HB 89, An Act authorizing the correction of certain technical errors prior to printing the statutes.

HB 95, An Act adopting the interstate regional planning compact and authorizing the state to enter into such compact with contiguous states.

HB 115, An Act legalizing certain votes at the 1968 town meeting in Madison.

HB 135, An Act to abolish the water commission in the town of Charlestown and transfer its functions to the selectmen.

HB 164, An Act relative to the size of pages of the volumes of the session laws.

HB 194, An Act creating a planning board for New Hampton Village Precinct.

HB 206, An Act to reclassify a class II highway in the town of Mason to a class V highway.

SB 7, An Act relative to the use of the senate and house chambers, anterooms and cloakrooms.

SB 30, An Act amending the charter of the Phillips Exeter Academy.

Roxie A. Forbes,  
For the Committee

The report was accepted.

\* \* \*

## COMMITTEE REPORTS

SB 21, recodifying to simplify the form of the statutes relative to salaries of county attorneys, county treasurers and county commissioners, Rep. Forbes for Committee on Engrossed Bills. Ought to pass with amendment under Joint Rule 15.

## AMENDMENT

Amend section 1 of the bill by striking out line two and inserting in place thereof the following:

1957, 34:1, 211:1, 263:1; 1959, 6:1; 1961, 107:1, 208:1; 1963, 95:1, 329:1; 1965,

Amend section 2 of the bill by striking out lines two and three and inserting in place thereof the following:

247:3; 1957, 149:1, 1963, 8:1; 1965, 262:2; and 1967, 36:1, 301:1 and 397:1 by striking out

\* \* \*

The report was adopted.

HB 94, relative to preparation of bills for submission to the governor. Rep. Forbes for Committee on Engrossed Bills. Ought to pass with amendment under Joint Rule 15.

#### AMENDMENT

Amend section 1 of the bill by striking out line three and inserting in place thereof the following:

Enrollment of Laws. All bills and resolutions which have passed both branches

Further amend said section 1 by striking out lines nine and ten and inserting in place thereof the following:

keep such bills and resolutions as public records of the state.

\* \* \*

Rep. Newell moved that the report of the Committee be adopted and spoke in favor of the motion.

The report was adopted.

\* \* \*

#### SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 222, relative to the timing of county audits by the tax commission and relative to certain expenses of municipal audits.

HB 223, changing the word "invoice" to inventory in relation to taxation of property.

HB 234, to abolish the water commission in the town of Derry and transfer its function to the selectmen.

HB 71, relative to filing with the secretary of state information regarding village districts established under the general laws.

HB 115, legalizing certain votes at the 1968 town meeting in Madison.

HB 206, to reclassify a class II highway in the town of Mason to a class V highway.

### FURTHER SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in its amendments to the following bill:

SB 7, relative to the use of the senate and house chambers, anterooms and cloakrooms.

### SENATE MESSAGE, INTRODUCTION OF SENATE BILLS AND REFERRAL AS FOLLOWS

The Senate has passed the following entitled bills in the passage of which it asks the concurrence of the House of Representatives:

SB 26, relative to increasing the per diem allowance for members of the board of parole to labor.

SB 53, relative to the manner of voting to rescind or change from non-partisan ballot in towns of forty-five hundred or more to Municipal and County Government.

\* \* \*

### RESOLUTION

Rep. Burleigh for the Committee on the Journal offered the following resolutilon:

*Resolved*, that the Journal of February 19th be corrected to show that the motion by Rep. Lambert on Reconsideration of HB 195, relative to fees for practice of barbering and employment of full-time inspector, was "lost" instead of "adopted."

\* \* \*

Resolution adopted by vv.

## CONCURRENT RESOLUTION NO. 7

Rep. Elmer Johnson offered the following Concurrent Resolution No. 7, concerning the conservation of water.

*Whereas*, the supply of pure water in New Hampshire is limited, and

*Whereas*, surveys show that within a very few years the water requirements of our rapidly expanding population will necessitate the utilization of every available source of supply;

*Now therefore be it resolved* by the House of Representatives, the Senate concurring

That the state of New Hampshire take immediate steps to preserve every recognized impoundment site for future use, and be it further

*Resolved*, that we solicit the cooperation of all local agencies such as boards of selectmen, zoning boards, planning boards, conservation commissions and any other interested groups or organizations, and federal agencies such as the Department of the Interior, Department of Agriculture, Forest Service, Soil Conservation Service, Bureau of Public Roads, and others, and instruct our state agencies such as the water resources board, pollution commission, and the department of public works to insist that any housing developments and any construction or reconstruction of public highways, beyond normal yearly maintenance, be located, and if necessary relocated, where they will not conflict with the development of dam sites.

Referred to Municipal and County Government.

\* \* \*

## RESOLUTIONS

Rep. Morrill of Salem on behalf of the Salem delegation introduced the following resolutions.

## RESOLUTIONS

*Whereas*, Leonard B. Peever, former Representative from Salem is being honored by his town for his interest in public and civic affairs, and

*Whereas*, Mr. Peever served as a Representative for sixteen terms, serving as chairman and vice chairman of Ways and Means, and was a member of several other committees of prime importance, was a veteran of World War I, Selectman for the Town of Salem, and is presently serving as Chairman of the Board of Trustees of the State Prison of which he has been a member since 1955, and

*Whereas*, few men in Salem have had the distinction of such an outstanding record in public office and civic interest, therefore be it

*Resolved*, that we, the members of the House of Representatives in General Court convened, do hereby honor Mr. Peever for his many services to his town, county and state and extend to him our congratulations for all his accomplishments and achievements, and be it further

*Resolved*, that a copy of these resolutions be transmitted to Mr. Peever.

\* \* \*

Resolutions were unanimously adopted by vv

\* \* \*

## RESOLUTION

Rep. Logan offered the following resolution:

*Resolved*, that in accordance with the list in the possession of the clerk, House Bills numbered 405 through 411 and Concurrent Resolution Proposing Constitutional Amendment numbered 21 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.

## INTRODUCTION OF BILLS

The following bills and constitutional amendment concurrent resolution were read a first and second time, laid on the table for printing and referred as follows:

HB 405, to relieve the burden of local property taxes through the enactment of an income tax, and enacting the uniform act for division of income for tax purposes. (Galbraith of Sullivan Dist. 7 — To Ways & Means.)

HB 406, establishing a state department of transportation and making an appropriation therefor. (Coutermarsh of Hillsborough Dist. 22 — To Executive Departments & Administration.)

HB 407, appropriating an emergency fund to be used by the department of education to assist school districts in a hardship situation caused by the closing of a nonpublic school. (Raiche of Hillsborough Dist. 34 — To Education.)

HB 408, to establish an outdoor advertising commission and to control the erection and maintenance of billboards and other outdoor advertising devices under its jurisdiction. (Record of Hillsborough Dist. 15 — To Public Works.)

HB 409, relative to a planned unit residential development. (Clafin of Carroll Dist. 7 — To Municipal & County Government.)

HB 410, providing for payment of certain personnel of New Hampshire hospital for on-call time. (MacDonald of Merrimack Dist. 25 — To Executive Departments & Administration.)

HB 411, prohibiting unfair methods of competition and unfair or deceptive acts or practices in trade and commerce and making an appropriation therefor. (Stafford of Belknap Dist. 12 — To Constitutional Revision.)

CA-CR 21, relating to: The right to vote; providing that: Elective franchise shall not be restricted to those who can read and write: (Griffin of Rockingham Dist. 3 — To Constitutional Revision.)

\* \* \*

## COMMITTEE REPORTS

HB 295, to establish a veterinary diagnostic laboratory, and making an appropriation therefor. Rep. Underwood for Agriculture. Ought to pass.



The Chair referred HB 295 to Appropriations under the Rules.

\* \* \*

SB 12, to prohibit the use of household furniture as collateral for small loans. Rep. Jalette for Banks and Insurance. Inexpedient to legislate.

At the request of Rep. Bednar, Rep. Bigelow explained the bill.

(discussion ensued)

Rep. Bednar moved that the words "ought to pass" be substituted for the committee report "inexpedient to legislate" and spoke in favor of the motion.

(discussion ensued)

Reps. Maloomian, Nixon and Buckman spoke in favor of the motion.

(discussion ensued)

Reps. Mackintosh, Bigelow and Reddy spoke against the motion.

At the request of Rep. Trowbridge, Rep. Bigelow answered a question.

(discussion ensued)

The question now being on the motion that the words "ought to pass" be substituted for the Committee report "inexpedient to legislate".

Motion lost by vv.

Rep. Maloomian requested a division.

111 members having voted in the affirmative and 149 members in the negative the motion lost.

#### PARLIAMENTARY INQUIRY

Rep. Bednar rose on a point of parliamentary inquiry.

The Chair called for a 2nd Division count.

The question being on the motion of Rep. Bednar on SB 12 that the words "ought to pass" be substituted for the committee report "inexpedient to legislate"

126 members having voted in the affirmative and 157 in the negative the motion lost.

The question now being on the resolution of the committee, inexpedient to legislate.

Resolution adopted by vv.

### RECONSIDERATION

Rep. D'Amante, having voted with the majority, served notice that today or some subsequent day he would ask for reconsideration of SB 12, to prohibit the use of household furniture as collateral for small loans.

\* \* \*

Rep. Coutermarsh wished to be recorded in favor of the motion "ought to pass" on SB 12.

### COMMITTEE REFERENCE

Rep. Greene moved that the order whereby HB 307, defining a handicapped child was referred to Committee on Labor be vacated and the bill be referred to Education.

Motion adopted by vv.

\* \* \*

### COMMITTEE REPORTS CONTINUED

HJR 18, establishing an interim commission to study the implementation of home rule legislation and making an appropriation therefor. Rep. Russell Chase for Constitutional Revision. Ought to pass with amendment.

### AMENDMENT

Amend the resolution by striking out all after the resolving clause and inserting in place thereof the following:

That there is hereby established a commission to study the implementation of home rule legislation. The commission shall

consist of seven members: one member of the house of representatives to be appointed by the speaker of the house, one member of the senate to be appointed by the president of the senate, three residents of the state to be appointed by the governor and council, the attorney general or his designate, and the director of legislative services or his designate. It shall make a careful study of the need and feasibility of laws implementing home rule under said paragraph of article 39 of Part First of the Constitution of New Hampshire. It shall have full power and authority to require from the several departments, agencies, and officials of the state and all political subdivisions thereof and their officers such information and assistance as it may deem necessary for the purposes hereof. Members of the commission shall serve without compensation but shall be reimbursed for their reasonable and necessary expenses. The attorney general or his designate shall convene the commission which shall elect its own chairman. The commission shall report its findings and recommendations, together with drafts of any proposed legislation necessary to carry out such recommendations, to the next regular session of the legislature during the first week of the session. The sum of ten thousand dollars is hereby appropriated for the purposes of this resolution including, but not limited to, the employment of professional and clerical staff and consultants. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

\* \* \*

Amendment adopted by vv and the Chair referred HJR to Appropriations under the Rules.

SB 16, relative to registration as an independent. Rep. Russell Chase for Constitutional Revision. Ought to pass.

Rep. Murray moved that SB 16 be indefinitely postponed and spoke in favor of the motion.

(discussion ensued)

(Rep. Stafford in the Chair)

(Speaker in the chair)

Rep. Trowbridge moved that SB 16 be recommitted to

Committee on Constitutional Revision and spoke in favor of the motion.

(discussion ensued)

Rep. Elmer Johnson spoke in favor of the motion.

Rep. Lawton spoke against the motion.

(discussion ensued)

Rep. Brungot spoke against the motion.

(discussion ensued)

Rep. Williamson spoke in favor of the motion.

Rep. Brummer moved that SB 16 be laid on the table.

### PARLIAMENTARY INQUIRY

Rep. Bridges rose on a point of Parliamentary inquiry.

The Chair stated that the motion to table takes a majority vote, and if successful, the matter could be taken from the table at any time by majority vote.

Motion to lay on the table lost by vv.

The question being on the motion to recommit SB 16 to Constitutional Revision.

On a vv the Chair was in doubt and a division was requested by Rep. Williamson.

Rep. Williamson subsequently withdrew his request for a division.

The motion to recommit was adopted by vv.

\* \* \*

HB 132, relating to state employees group insurance. Rep. MacDonald for Executive Departments and Administration. Ought to pass with amendment.

### AMENDMENT

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Appropriation. There is hereby appropriated the sum

of one hundred ten thousand four hundred eighty dollars for the fiscal year ending June 30, 1970 and the sum of one hundred ten thousand four hundred eighty dollars for the fiscal year ending June 30, 1971. The governor is authorized to draw his warrants for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

Amendment adopted by vv and the Chair referred HB 132 to Appropriations under the Rules.

\* \* \*

### COMMITTEE CHANGE

At the request of Mr. Oleson, he has been removed from the Committee on Statutory Revision, because of conflicts with other committee assignments.

HB 197, to prohibit hunting of deer from snowmobiles. Rep. Hunt for Fish and Game. Ought to pass.

Ordered to third reading by vv.

HB 232, authorizing the director to make regulations relative to importing or releasing wild life in this state. Rep. Hunt for Fish and Game. Ought to pass.

Ordered to third reading by vv.

HB 130, relative to form of oaths for public officers and teachers. Rep. Andrews for Judiciary. Ought to pass with amendment.

\* \* \*

### AMENDMENT

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Public Officers. Amend RSA 92:2 by striking out the same and inserting in place thereof the following: 92:2 Oath Required. No person chosen or appointed to any public office or to any position where an oath is required, under any law, shall exercise such office or position or perform any act therein until he shall make and subscribe the oath of office as prescribed by part 2, article 84 of the constitution of New Hampshire, and any such person who violates said oath after taking

the same shall be forthwith dismissed from the office or position involved.

2 Certification and Recording. Amend RSA 92:6 by striking out the same and inserting in place thereof the following: 92:6 Certification and Recording. Official oaths shall be certified by the person administering the same and returned forthwith to the recording officer of the body making the election or appointment.

3 Civil Defense Personnel. Amend RSA 107:17 by striking out the same and inserting in place thereof the following: 107:17 Oath Required. No person shall be employed or associated in any capacity in any civil defense organization established hereunder until he shall make and subscribe the oath of office as prescribed by part 2, article 84 of the constitution of New Hampshire, and any such person who violates said oath after taking the same shall be forthwith dismissed from the office or position involved. For the purpose of administering the oath of office hereunder the state director of civil defense and such local and state civil defense officials as may be designated by him in writing are authorized to administer said oath in this state.

4 Town Officers. Amend RSA 42:1 by striking out the same and inserting in place thereof the following: 42:1 Oath Required. Every town officer shall make and subscribe the oath of office as prescribed by part, article 84 of the constitution of New Hampshire, and any such person who violates said oath after taking the same shall be forthwith dismissed from the office involved.

5 Town Officers. Amend RSA 42:2 by striking out the same and inserting in place thereof the following: 42:2 Before Whom. The moderator, town clerk, one of the selectmen or a justice of the peace are authorized to administer the oath required by this chapter.

6 Teachers. Amend RSA 191:2 by striking out the same and inserting in place thereof the following: 191:2 Oath Required. No person shall be employed or associated in any capacity, directly or indirectly, in teaching in public or state approved schools or in any state institution until he shall make and subscribe the oath of office as prescribed by part 2, article 84 of the constitution of New Hampshire, and any such person



who violates said oath after taking the same shall be forthwith dismissed from the office or position involved.

7 Certification and Recording. Amend RSA 191:3 by striking out the same and inserting in place thereof the following: 191:3 Certification and Recording. Oaths required by this chapter shall be certified by the persons administering the same and returned forthwith to the recording officer of the body making the election or appointment.

8 Effective Date. This act shall take effect sixty days after its passage.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

HB 272, to establish a state liquor store in the town of Ossipee, and making an appropriation therefor. Rep. Vachon for Liquor Laws. Ought to pass.

The Chair referred HB 272 to Appropriations under the Rules.

HB 149, relative to extending the jurisdiction of local police by consent. Rep. Hanson for Municipal and County Government. Ought to pass with amendment.

#### AMENDMENT

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 City Police. Amend RSA 48 by inserting after section 11 the following new section: 48:11-a Extended Authority. The authority of any duly authorized marshal, constable or police officer of any city shall extend to any contiguous town or city in the state, provided that said officer shall have prior authorization in writing from the chief law enforcement officer of said town or city.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Town Police. Amend RSA 105 by inserting after section 12 the following new section: 105:13 Extended Authority. The

authority of any duly authorized police officer or constable of any town shall extend to any contiguous city or town in the state, provided that said officer shall have prior authorization in writing from the chief law enforcement officer of said city or town.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

HB 296, authorizing the governor and council to guarantee payment of bonds issued by a county for capital improvements. Rep. Gaffney for Municipal and County Government. Ought to pass with amendment.

#### AMENDMENT

Amend section 1 of the bill by striking out in line six and twelve the word "five" and inserting in place thereof the word (ten) so that said section as amended shall read as follows:

1 State Guarantee of Bonds. Amend RSA 28 by inserting after section 24 the following new section: 28:24-a State Guarantee. Upon the recommendation of the county commissioners, the governor, with the advice and consent of the council, is authorized in the name of the state of New Hampshire to guarantee unconditionally, but at no time in excess of the local aggregate sum for the entire state of ten million dollars, the payment of all or any portion, as they may find to be in the public interest, of the principal of and interest on any bonds or notes issued by any county for raising money for capital improvements, and the full faith and credit of the state are pledged for any such guarantee. The outstanding amount of principal and interest on such bonds and notes, the payment of which has been guaranteed by the state under the provisions of this section, shall at no time exceed the amount of ten million dollars. The state's guarantee shall be endorsed on such bonds or notes by the state treasurer; and all notes or bonds issued with state guarantee shall be sold (1) at public sealed bidding, (2) after publication of advertisement for bids, (3) to the highest bidder. Any and all such bids may be rejected and a sale may be negotiated with the highest bidder. In the event of default in payment of any such notes or bonds, the state may recover any losses suffered by it by levy against the county.

Amendment adopted by vv and the Chair referred HB 296 to Appropriations under the Rules.

HB 309, relative to county bonds. Rep. Gaffney for Municipal and County Government. Ought to pass with amendment.

### AMENDMENT

Amend section 3 of the bill by striking out said section and inserting in place thereof the following:

3 Notes. Amend RSA 29:10 by striking out said section and inserting in place thereof the following: 29:10 Notes. Notes issued by a county shall be signed by two at least of the commissioners and shall be countersigned by the treasurer.

Amend the bill by inserting after section 3 the following new section 4.

4 Effective Date. This act shall take effect sixty days after its passage.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

HB 179, for additional reimbursement to institutions and nursing homes for cost of care of certain welfare programs, was withdrawn by committee.

HB 273, appropriating funds for the state nursing scholarship program. Rep. Noyes for Public Health, Welfare and State Institutions. Ought to pass.

Referred to Appropriations under the Rules.

HB 207, relative to the construction and maintenance of a lake management structure at Silver Lake. Rep. Claffin for Resources, Recreation and Development. That it be referred to the Legislative Council.

Resolution adopted by vv.

HB 258, providing for state payment of tuition for pupils residing on state owned property and making an appropriation therefor. Rep. Dunham for Education. Inexpedient to legislate.

Resolution adopted by vv.

HB 274, covering into the state personnel system certain non-academic employees of the University of New Hampshire and the state colleges, was withdrawn by committee.

HB 328, relative to approval of bonds of town clerks. Rep. Randlett for Municipal and County Government. Ought to pass.

Ordered to third reading by vv.

HB 334, relative to application of old age and survivors insurance relative to officials of political subdivisions. Rep. Walker for Municipal and County Government. Ought to pass.

Ordered to third reading by vv.

HB 2, relative to eligibility requirements for welfare benefits and to the duties of the advisory commission of the department of health and welfare. Rep. Harold Drew for Public Health, Welfare and State Institutions. Ought to pass with amendment.

## AMENDMENT

Amend the title of the bill by striking out the same and inserting in place thereof the following:

### An Act

relative to the operation of the division of welfare and establishing a legislative liaison committee.

Amend section 5 of the bill by striking out the said section and inserting in place thereof the following:

5 Designations. Amend RSA 167:5 (supp) as amended by 1961, 271:2 and 1967, 396:4 by striking out in line ten the word "medical" so that said section as amended shall read as follows: 167:5 Designations. Assistance granted to needy aged persons shall be designated as old age assistance; assistance granted to needy blind shall be designated as aid to the blind; assistance granted to needy dependent children shall be designated as aid to families with dependent children; assistance granted to the needy permanently and totally disabled shall be designated as aid to the permanently and totally disabled; medical care and services provided individuals whose income and resources are insufficient to meet costs of necessary medical

needs shall be designated as medical assistance. Assistance granted in these groups shall be in the form of money payments to or vendor payments in behalf of recipients and such separate records and accounts shall be kept and other requirements met as are necessary to qualify for grants-in-aid from the federal government.

Amend section 6 of the bill by striking out said section and inserting in place thereof the following:

6 Definitions. Amend RSA 167:6 (e) (supp) as amended by 1957, 116:3, 1959, 177:1, 2, 1961, 271:3 and 1967, 396:5 by striking out said paragraph and inserting in place thereof the following: (e) For the purposes hereof a person shall be eligible for aid to families with dependent children who is a needy child under the age of eighteen or under the age of twenty-one and a student regularly attending a school, college, or university, or regularly attending a course of vocational or technical training designed to fit him for gainful employment, who has been deprived of parental support or care by reason of death, continued absence from the home, or physical or mental incapacity of a parent, who is living with his father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, first cousin, nephew or niece, uncle or aunt in a place of residence maintained by one or more of such relatives as his or their home and who has resided in the state for one year immediately preceding his application for such aid, or who was born within one year immediately preceding said application or the parent or other qualified relative with whom he is living has resided in the state for one year immediately preceding the application. For purposes of this section a child shall be eligible who meets the above requirements except for his removal after April 30, 1961 from the home of a relative as defined herein as a result of a judicial determination and whose placement in a foster home and care are the responsibility of the division of welfare or another public agency which meets federal requirements and the state plan, who received aid to families with dependent children in the month in which court proceedings were initiated, or would have received such aid if application had been made within six months prior to the month in which such proceedings were initiated. No person shall be eligible to receive such aid while receiving old age assistance.



Amend section 7 of the bill by striking out said section and inserting in place thereof the following:

7 Funeral Expenses. Amend RSA 167:11 as amended by 1961, 222:1 and 271:4 by striking out said section and inserting in place thereof the following: 167:11 Funeral Expenses. On the death of a money payment recipient reasonable funeral expenses may be paid subject to the rules and regulations of the division if the estate of the deceased is insufficient to pay the same; provided, however, that this section shall not apply to recipients of medical assistance.

Amend section 8 of the bill by striking out said section and inserting in place thereof the following:

8 Claims and Liens. Amend RSA 167:14 as amended by 1961, 222:1 by inserting in line one after the word "recipient" the words (of old age assistance and aid to the permanently and totally disabled), so that said section as amended shall read as follows: 167:14 — Claims and Liens. The estate of every recipient of old age assistance and aid to the permanently and totally disabled, and the estate of his or her spouse, residing with said recipient, if any, owned severally or as joint tenants, shall be holden for all assistance granted to the recipient. All such liens shall continue during the lifetime of the recipient and of the spouse of the recipient, if any, and until enforced as provided herein, unless sooner released by the director of the division of welfare. Within thirty days after the first grant of assistance to a recipient, the director of the division of welfare shall file with the register of deeds of the county in which the recipient, or the spouse of the recipient, if any, owns real property and with the town clerk of the town in which the recipient and the spouse of the recipient, if any, resides, notice of the lien, together with the name of the recipient, and the spouse of the recipient, if any. The register of deeds and town clerk shall keep a suitable record of such notices without charging any fee therefor and enter thereon an acknowledgment of satisfaction upon written request from the director of the division of welfare.

Amend section 9 of the bill by striking out said section and inserting in place thereof the following:

9 Authorization. Amend RSA 167 by inserting after section 20-a (supp) the following new section: 167:20-b Authorization



for Work Incentive Program. For purposes of complying with federal requirements of the Social Security Act in the joint administration of the work incentive program with the department of employment security, the director of the division of welfare is hereby authorized to manifest, upon presentation of statements of costs by the department of employment security for carrying out the program, the non-federal contribution required by the Social Security Act.

Amend section 10 of the bill by striking out said section and inserting in place thereof the following:

10 Guardian. Amend RSA 167:26 as amended by 1961, 222:1 by striking out said section and inserting in place thereof the following: 167:26 Guardian. If the person receiving assistance is found incapable of taking care of himself or his money, the director of the division of welfare, department of health and welfare, may make the payment of such assistance to any responsible person, guardian or corporation, for his benefit.

Amend section 11 of the bill by striking out said section and inserting in place thereof the following:

11 Liaison Committee. Amend RSA 167 by inserting after section 34 the following new section:

167:34-a Legislative Liaison Committee.

I. Established. There is hereby established a committee of the general court to make a continuing study of public assistance and medical assistance programs within the division of welfare, department of health and welfare. Said committee shall consist of nine legislators. Six members shall be appointed from within the house membership by the speaker of the house; three members of the senate shall be appointed by the president of the senate. No fewer than three members of the committee shall be members of the house appropriations committee; there shall be at least one member of the committee from the senate finance committee. The speaker of the house shall appoint the chairman of the committee. Members shall serve on the committee as long as they are bonafide members of the general court, or until they resign or are replaced by the speaker of the house or president of the senate. Vacancies occurring on the committee shall be filled promptly by the appointing authority. The committee shall meet with the director of the division of

welfare and such other staff as may be required no less than six times a year.

II. Duties. The committee shall carry on a continuing study of public assistance and medical assistance programs, to gain a real knowledge of the programs, with specific reference to factors affecting costs and increases in caseloads. The committee shall make a report biennially of its findings and recommended to the general court within the first fifteen legislative days of the regular session, an appropriate course to follow in the further development or expansion of the programs studied. The committee shall seek frequent and appropriate consultation from individuals or groups who have expert knowledge in public welfare and/or medical care services. The director of welfare shall provide any information, records and consultation that the committee may require.

Amend section 12 of the bill by striking out said section and inserting in place thereof the following:

12 Effective Date. This act shall take effect July 1, 1969.

Further amend the bill by striking out section 13, 14 and 15.

\* \* \*

Rep. Keeney moved that HB 2 be made a special order of business for Tuesday next at 11:02 and spoke in favor of the motion.

Motion adopted by vv.

HB 269, repealing provisions for assessments of taxes on studhorses and jackasses. Rep. Storm for Ways and Means. Inexpedient to legislate.

Resolution adopted by vv.

HJR 7, establishing a committee to study the economic impact of classification of land for taxing purposes as open space, farm and forest lands and recommending legislation to implement the same. Rep. Casey for Ways and Means. Ought to pass with amendment.

#### AMENDMENT

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

There is hereby established a committee to study the classification of lands for taxing purposes. The committee shall consist of twelve members: three shall be members of the house, appointed by the speaker; two shall be members of the senate, appointed by the president; three shall be members of the general public, appointed by the governor; and the other four shall be a member of the tax commission; the commissioner of agriculture, or his designate; the commissioner of resources and economic development, or his designate; and the director of legislative services, or his designate. The committee shall elect a chairman and vice-chairman from its members and is authorized and empowered to employ, within the limits of its appropriation, such professional and technical assistance, either on permanent or consulting basis, and such clerical and stenographic assistance as is required to carry out its duties. The committee shall study, in depth, the economic impact on the individual towns and cities and the state as a whole of legislation classifying real property for taxing purposes as open space land, farm land or forest land, and requiring that such classification of land be assessed for tax purposes on the basis of their value for the current use that they are being put to. The committee shall hold public hearings throughout the state in the course of its study to receive testimony and information as often as and where it sees fit. All local taxing and assessing officials are hereby required and directed to assist the committee in the carrying out of its duties, and to furnish such data and information and records as the committee shall request. The committee shall print and submit a report on its study to the governor, speaker of the house and president of the senate on or before November 1, 1969, and shall include in said report, its findings and conclusions and a draft of any legislation which it recommends or suggests that the general court consider or adopt, at the 1969 session, a special session or the next regular session. The legislative members and the public members of the committee shall be reimbursed for their actual expenditures and mileage, incurred in carrying out their duties, at the same rate as state employees.

The sum of ten thousand dollars is hereby appropriated for the purposes of this act. The governor is authorized to draw his warrant for the sum hereby appropriated from any money in the treasury not otherwise appropriated. The committee is further authorized and directed to apply for, and receive, any

federal funds which may be available to carry out its duties and the amount of state funds hereinabove appropriated shall be reduced by the amount of any federal funds received by the committee.

\* \* \*

At the request of Rep. Bednar, Rep. Ratoff explained the amendment.

(discussion ensued)

Rep. Bednar moved that the words "inexpedient to legislate" be substituted for the committee report "Ought to pass with amendment" and spoke in favor of the motion and subsequently withdrew his motion.

Amendment adopted by vv and the Chair referred HJR 7 to Appropriations under the Rules.

Rep. Raiche requested that Rep. Bednar's remarks on HJR 7 be printed in the Journal.

Remarks by Rep. Bednar of Hudson on HJR 7

Mr. Speaker: Before this House votes on this resolution, it should be advised of two things:

1. That question No. 7, as passed by the voters last November is presently before the Superior Court for a decision, as the legality of its passage is being questioned.

2. If the members of this House wish to pass this resolution and appropriate \$10,000.00 for a study, before question No. 7 is resolved in the courts, that is for the members to decide.

The main point is that question No. 7 is presently before the courts and, until the courts rule on the legal questions involved, the legislature cannot implement legislation under this resolution.

\* \* \*

### SPECIAL ORDER OF BUSINESS FOR 11:01

The Chair called for Special Order of Business on HB 243, relative to protection of confidential medical information obtained for research purposes by the department of health and welfare. Ought to pass with amendment.

## AMENDMENT

Amend RSA 126-A:4-a as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

126-A:4-a Medical and Scientific Research Information.

I. Personal medical and/or other scientific data of any kind whatsoever obtained for the purpose of medical or scientific research by the commissioner or by any person, organization, or agency authorized by the commissioner to obtain such data shall be confidential and shall be used solely for medical or scientific purposes. Such data shall include, but not be limited to, all information, records of interviews, written reports, statements, notes, memoranda, or other data procured in connection with such scientific studies and research conducted by the department, or by other persons, agencies, or other organizations so authorized by the commissioner.

II. No hospital, sanitarium, rest home, nursing home, other person or agency shall be held liable in any action for damages or other relief arising from the furnishing of personal medical and/or other scientific data to the department of health and welfare or to the representative of an authorized medical or scientific research project.

III. Personal medical and/or other scientific data obtained by the department of health and welfare or by an authorized research project shall not be admissible as evidence in any action of any kind in any court or before any tribunal, board, agency or person.

IV. Personal medical and/or other scientific data shall not be exhibited nor their contents disclosed in whole or in part by any officer or employee of the department, or by any other person, except as may be necessary to further the study or research project to which they relate.

V. Any person who violates the provisions of this section by the unauthorized disclosure of any confidential medical or scientific data, in whole or in part, shall be fined not more than two hundred and fifty dollars.



Amendment adopted and the bill ordered to third reading by vv.

HB 88, providing for minimum annual allocation of road toll funds for the construction and maintenance of class IV and class V highways. Rep. Raymond for Public Works. Inexpedient to legislate; subject matter covered by pending legislation.

Resolution adopted by vv.

HB 161, relative to new instructional buildings, new non-academic buildings, and alterations to the present university plant. Rep. Trowbridge for Public Works. Inexpedient to legislate; subject matter covered by pending legislation.

Rep. Trowbridge explained the committee report.

Resolution adopted by vv.

HB 221, changing the name of Door Pond in the town of Wakefield to Belleau Lake. Rep. Spollett for Public Works. Ought to pass.

Ordered to third reading by vv.

HB 110, relative to establishment of conservation areas by private persons. Rep. Philip Heald, Resources, Recreation & Development for Majority; Ought to pass with amendment.

## AMENDMENT

Amend RSA 216-D:1, II as inserted by section I of the bill by striking out the same and inserting in place thereof the following:

II. Conservation areas larger than those areas which may be posted against trespass may be established with the approval of the council of resources and development. Application shall be made biennially and may be renewed on application. Said application shall include a description of the land to be included in said conservation area in such detail as may be required by the council of resources and development. Such application shall also state the purposes for which said proposed conservation area is intended. The council of resources and development, may grant approval for the establishment of a conservation area if in its judgment a worthwhile scientific or educational purpose will be achieved and the public interest will be



served. The council of resources and development shall consider all complaints regarding the existence or operation of any conservation area and may, after adequate notice to the person establishing the conservation area, revoke its approval for sufficient cause.

Amend RSA 216-D:3 as inserted by section 1 of the bill by striking out in line three the words "NO HUNTING" and by inserting in line four after the word "high" the words (The words "NO HUNTING," "NO FISHING," or "NO HUNTING OR FISHING,") similarly printed, may be appended to the words "CONSERVATION AREA." so that said section as amended shall read as follows:

216-D:3 Posted Notices. Persons who post notices to the public under section 1 of this chapter shall make the notices of durable material with the words CONSERVATION AREA, printed on them with block letters not less than two inches high. The words "NO HUNTING," "NO FISHING," or "NO HUNTING OR FISHING," similarly printed, may be appended to the words "CONSERVATION AREA." The notices shall show the name and address of the owner or lessee of the posted land, and may show other words to give information of the nature of the plant, animal, or bird life in the conservation area, or to give other information relating to the area. The notices shall be posted along the boundaries of the land established as a conservation area, not more than one hundred yards apart, and they shall also be posted at the gates, bars, and commonly used entrances to the land.

Amend RSA 216-D:4 as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

#### 216-D:4 Penalties.

I. Except as provided in paragraph II of this section, whoever enters upon land posted as a conservation area under this chapter for purposes of killing or otherwise taking wildlife or does kill or otherwise take wildlife shall be guilty of a misdemeanor. If convicted, the person shall be fined not more than fifty dollars, and may be imprisoned for not more than six months. Nothing in this paragraph shall restrict or limit a law enforcement or conservation officer in the performance of his duties.

II. The director of fish and game or his agent may, upon notice to the person establishing a conservation area, remove wildlife which in the director's opinion are in overabundance in any conservation area.

Amend RSA 216-D:5 as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

216-D:5 Forfeiture of Rights. A person who has established a conservation area upon his land shall be subject to the restrictions on the killing or otherwise taking of wildlife applying to said conservation area and forfeits his right to collect on claims under RSA 207:22 and 23 for damages to fruit trees or to crops damaged within the area.

Amend RSA 216-D:6 as inserted by section 1 of the bill by inserting in line two after the word "shall" the words (upon application) and inserting in line four after the word "area" the words (without fee) and inserting in line six after the word "state" the words (and subject to these restrictions may allow the use of the conservation area by other groups or individuals) so that said section as amended shall read as follows:

216-D:6 Use of Area. The person who established a conservation area shall upon application allow any youth organizations, any schools, or any clubs and associations organized for wildlife study or conservation purposes, to enter and use the area, without fee, subject to reasonable restrictions placed by that person on the use of the conservation area covering the destruction or littering of the property, or to maintain the area in its natural state, and subject to these restrictions may allow the use of the conservation area by other groups or individuals.

\* \* \*

Minority: Rep. Oleson, Resources, Recreation & Development for the Minority. Inexpedient to legislate.

The reports were accepted.

Rep. Kopperl moved that HB 110 be recommitted to Resources, Recreation and Development and spoke in favor of the motion.

Motion adopted by vv.

HB 262, relative to the carriage of property for hire by motor vehicles. Rep. Elmer York for Transportation. Inexpedient to legislate.

Resolution adopted by vv.

HB 266, making appropriations for the purchase, operation and maintenance of a state-owned aircraft. Rep. Coutermarsh for Transportation. Ought to pass with amendment.

#### AMENDMENT

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Appropriation for Purchase. The sum of sixty-five thousand dollars is hereby appropriated for the purchase of a state-owned aircraft under the provisions of RSA 422:10. The sum hereby appropriated shall be a continuing appropriation, shall not lapse, and may not be transferred. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

Further amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Appropriation for Operation and Maintenance. The sum of seventy-five hundred dollars is hereby appropriated for the fiscal year ending June 30, 1970 and a like sum for the fiscal year ending June 30, 1971 for the operation and maintenance of a state-owned aircraft under the provisions of RSA 422:10. The appropriated funds shall be held in the special fund established under RSA 422:10 and shall not lapse but may be used as a revolving fund. The governor is authorized to draw his warrant for the said sums out of any money in the treasury not otherwise appropriated, and the sums are in addition to any other appropriation made for the use of the aeronautics commission.

\* \* \*

Rep. Fortin moved that HB 266 be indefinitely postponed and spoke in favor of the motion.

Rep. Morrill spoke against the motion.

(discussion ensued)

Reps. Coutermarsh and O'Neil spoke against the motion.

Rep. Maynard spoke in favor of the motion.

Rep. Fortin spoke a second time in favor of the motion.

(discussion ensued)

Rep. Maloomian moved the previous question and it was sufficiently seconded.

Motion adopted by vv.

The question now being on the motion to indefinitely postpone.

### PARLIAMENTARY INQUIRY

Rep. Coutermarsh rose on a point of parliamentary inquiry.

Motion lost by vv.

Rep. Fortin requested a division.

161 members having voted in the affirmative and 144 in the negative the motion to indefinitely postpone was adopted.

### PARLIAMENTARY INQUIRY

Rep. Morrill rose on a point of parliamentary inquiry.

### RECONSIDERATION

Rep. Coutermarsh, having voted with the majority, served notice that today or some subsequent day he would ask for reconsideration of HB 266.

\* \* \*

HB 268, relative to issuance of certificates for carriage of household goods for hire by motor vehicle. Rep. Elmer York for Transportation. Inexpedient to legislate.

Resolution adopted by vv.

HB 131, relative to certain tax exemptions. Rep. Lawton for Ways and Means. Inexpedient to legislate.

Resolution adopted by vv.

HB 170, relative to tax exemption for totally disabled veterans. Rep. Maloomian for Ways and Means. Ought to pass.

Ordered to third reading by vv.

Rep. Logan moved that the remainder of the calendar be made a Special Order of Business for Tuesday next at 11:02 a.m.

Motion adopted by vv.

\* \* \*

On motion of Rep. Stafford the House adjourned from the early session and the Rules of the House were so far suspended as to permit reading of bills by title only, and that when the House adjourns today it be to meet Tuesday next at 11:00 o'clock.

### LATE SESSION THIRD READINGS

The following bills were read a third time, passed and sent to the Senate for concurrence.

HB 197, to prohibit hunting of deer from snowmobiles.

HB 232, authorizing the director to make regulations relative to importing or releasing wild life in this state.

HB 130, relative to form of oaths for public officers and teachers.

HB 149, relative to extending the jurisdiction of local police by consent.

HB 309, relative to county bonds.

HB 328, relative to approval of bonds of town clerks.

HB 334, relative to application of old age and survivors insurance relative to officials of political subdivisions.

HB 243, relative to protection of confidential medical information obtained for research purposes by the department of health and welfare.

HB 221, changing the name of Dorr Pond in the town of Wakefield to Belleau Lake.

HB 170, relative to tax exemption for totally disabled veterans.

### RECONSIDERATION

Rep. Vachon, having voted with the majority, moved that the House reconsider its action whereby it passed HB 170 and spoke against the motion.

Motion lost by vv.

\* \* \*

On motion of Rep. Eastman the House adjourned at 2:28 P.M.

---

*Tuesday, March 4, 1969*

The House met at 11:00 o'clock.

### HOUSE

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

O ETERNAL and EVERLASTING GOD, whose glorious power spans both time and space, we rejoice with our fellow citizens in the initial success of "APOLLO 9" and in the endeavors of all those who have made this venture a reality. Continue Thy blessing upon our men in space and return them safely to our planet. Let their courage and faith be our inspiration as we begin our legislative duties today. We look to Thee for strength and guidance in our confrontation with life's real issues and conflicts, knowing that we live in an age of challenge and opportunity. Endow the Members of this Joint Convention with knowledge and wisdom to know Thy Way and to seek Thy Will. Keep us safe from oversight and error, from complacency and expediency, that we honestly consider all just causes in the framework of our liberty and freedom. May our every action honor Thee, O Loving and Merciful Father. Amen.



## PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Robert Drew led the House in the Pledge of Allegiance to the Flag.

## LEAVES OF ABSENCE

Reps. Barbara Thompson, Noyes and Blain were granted leave of absence for the week on account of illness.

Reps. Grady and Robert Dion were granted indefinite leave of absence on account of illness.

Reps. Berkey, Van Loan and Gile were granted leave of absence for the day on account of important business.

Rep. Goedecke was granted leave of absence for two weeks on account of important business.

Rep. Milne was granted leave of absence for the week on account of important business.

\* \* \*

## RESOLUTION

Rep. McMeekin offered the following resolution:

*Resolved*, that in accordance with the list in the possession of the clerk, House Bills numbered 412 through 432 and House Joint Resolutions numbered 55 through 56 and Concurrent Resolutions Proposing Constitutional Amendments numbered 22 through 25 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.

## INTRODUCTION OF BILLS

The following bills, Joint resolutions, and Constitutional Amendments Concurrent Resolutions were read a first and second time, laid on the table for printing and referred as follows:

HB 412, authorizing an extension of certain appropriations for the water resources board. (Bell of Grafton Dist. 18 — To Appropriations.)

HB 413, providing for an adequate staff for a governor-elect in advance of his inauguration. (Logan of Sullivan Dist. 1, Cobleigh of Hillsborough Dist. 15 — To Appropriations.)

HB 414, relative to taking sand and gravel from the bed of a navigable river or great pond. (Urie of Belknap Dist. 1 — To Public Works.)

HB 415, establishing a minimum salary for full-time law enforcement officers and appropriating state aid therefor. (Raiche of Hillsborough Dist. 34, Nixon of Hillsborough Dist. 5 — To Executive Departments and Administration.)

HB 416, relative to salaries of Hillsborough county sheriff and deputy sheriffs. (Sweeney of Hillsborough Dist. 36, Bednar of Hillsborough Dist. 23, Raiche of Hillsborough Dist. 34, Dion of Hillsborough Dist. 29, Cullity of Hillsborough Dist. 30, & Healy of Hillsborough Dist. 32 — To Hillsborough Delegation.)

HB 417, relative to the appointment of a wage board and making an appropriation therefor. (Angus of Sullivan Dist. 4 — To Labor, Human Resources & Rehabilitation.)

HB 418, providing for a commission to study the state constitution and making an appropriation therefor. (Logan of Sullivan Dist. 1, Raiche of Hillsborough Dist. 34 — To Constitutional Revision.)

HB 419, relative to mileage rate for all state employees using privately-owned passenger vehicles. (Williamson of Sullivan Dist. 9 — To Executive Departments and Administration.)

HB 420, providing for the hiring of clerical help for the division of state police in order to free state troopers for highway patrol and making an appropriation therefor. (Logan of Sullivan Dist. 1, Cobleigh of Hillsborough Dist. 15 — To Appropriations.)

HB 421, appropriating medicare reimbursement fund received by New Hampshire hospital for hospital improvements. (MacDonald of Merrimack Dist. 25 — To Appropriations.)

HB 422, providing services for tourists, regulating outdoor advertising, and making an appropriation therefor. (Radway of Grafton Dist. 9, Raiche of Hillsborough Dist. 34, Wallin of Hillsborough Dist. 14, Cares of Hillsborough Dist. 24, & Carrier of Hillsborough Dist. 27 — To Public Works.)

HB 423, to authorize the water resources board to acquire certain dams and water rights located at Mascoma Lake, Goose Pond Brook, Crystal Lake Brook and Grafton Pond. (Johnson of Grafton Dist. 9, Cone of Grafton Dist. 9, Merrill of Grafton Dist. 13, Foster of Grafton Dist. 11, Coutermarsh of Hillsborough Dist. 22, Blain of Grafton Dist. 15, and Smith of Grafton Dist. 10 — To Appropriations.)

HB 424, providing cost of living retirement allowances for police and firefighters who shall have retired prior to July 1, 1961, and making an appropriation therefor. (Stafford of Belknap Dist. 12, Healy of Hillsborough Dist. 32 — To Appropriations.)

HB 425, providing cost of living retirement allowances for police and firefighters who shall have retired subsequent to July 1, 1969 and prior to January 1, 1968, and making an appropriation therefor. (Stafford of Belknap Dist. 12, Healy of Hillsborough Dist. 32 — To Appropriations.)

HB 426, providing cost of living retirement allowances for police and firefighters who shall have retired subsequent to January 1, 1968 and prior to December 31, 1969 and making an appropriation therefor. (Stafford of Belknap Dist. 12, Healy of Hillsboro Dist. 32 — To Appropriations.)

HB 427, providing grants to school districts toward teachers' salaries. (Williamson of Sullivan Dist. 9 — To Education.)

HB 428, legalizing limited gambling and gaming activities operated and controlled by the state of New Hampshire and its authorized agents. (Sayer of Rockingham Dist. 7 — To Ways & Means.)

HB 429, creating a Mount Washington Authority, and making an appropriation therefor. (Lawton of Belknap Dist. 2; Howard of Carroll Dist. 1, Davis of Carroll Dist. 2; Johnson of Cheshire Dist. 9; Noyes, March, Huggins of Coos Dist. 1, Manning of Coos Dist. 2, Richardson of Coos Dist. 11; Stevenson, Gardner, Tilton, Rich of Grafton Dist. 1; Brummer of Grafton

Dist. 4, Bell & Sears of Grafton Dist. 18, Colburn of Hillsborough Dist. 11, Coutermarsh of Hillsborough Dist. 22, Goode of Hillsborough Dist. 26, Bednar of Hillsborough Dist. 36; & Smith of Strafford Dist. 14 — To Appropriations.)

HB 430, establishing an office of economic policy and making an appropriation therefor. (Raiche of Hillsborough Dist. 34, Cares of Hillsborough Dist. 24 — To Executive Departments & Administration.)

HB 431, establishing a junior college system and making an appropriation therefor. (Raiche of Hillsborough Dist. 34, Carrier of Hillsborough Dist. 27, and Cares of Hillsborough Dist. 24 — To Education.)

HB 432, to establish a textbook aid system for the schools of the state, and making an appropriation therefor. (Raiche of Hillsborough Dist. 34 — To Education.)

HJR 55, establishing an interim commission to study the election laws, with an emphasis on recodification of existing laws and making an appropriation therefor. (Logan of Sullivan Dist. 1, Cobleigh of Hillsborough Dist. 15 — To Constitutional Revision.)

HJR 56, providing for preliminary studies for the creation of a Merrimack Valley Branch of the University of New Hampshire, and making an appropriation therefor. (Cares of Hillsborough Dist. 24 — To Education.)

CA-CR 22, Relating to: The Hillsborough County Attorney. Providing that: The county Attorney in Hillsborough County Shall be Called a District Attorney. (Sweeney of Hillsborough Dist. 36 — To Constitutional Revision.)

CA-CR 23, Relating to: Authorization by the Legislature of the Issuance of Guarantee of any Bonds or Notes which are Backed by the State's Credit. Providing that: A two-thirds vote of the membership of both houses of the legislature is necessary to pass an act relating to the issuance or guaranteeing of bonds or notes backed by state credit. (Belcourt of Hillsborough Dist. 16 — To Constitutional Revision.)

CA-CR 24, Relating to: Voting age and qualification as to age in holding office, and Providing that: Eighteen year olds may vote but no person under twenty-one years of age may hold

any elective office. (Wallin of Hillsborough Dist. 14, Cares of Hillsborough Dist. 24, Raiche of Hillsborough Dist. 34, Carrier of Hillsborough Dist. 27, and Burns of Coos Dist. 4 — To Constitutional Revision.)

CA-CR 25, Relating to: Special session organizational meetings of the legislature. Providing that: The legislature shall meet on the first Tuesday of December after the general election only for organizational purposes, and shall start its regular sessions, as now, on the first Wednesday of January. (Logan of Sullivan Dist. 1, Cobleigh of Hillsborough Dist. 14 — To Constitutional Revision.)

### QUALIFIED

Rep. Maurice E. Tarbell of Windham appeared before His Excellency Governor Peterson and was sworn in as Representative from Windham, District 6.

\* \* \*

### COMMITTEE CHANGE

Frank Sawyer, Chairman of Claims, Military and Veterans Affairs, has resigned his position.

The Speaker has appointed Rep. Robert W. Varrill of Exeter to be the new Chairman, with Rep. George White of Atkinson as Vice-Chairman.

\* \* \*

The following listed bills which all either contain appropriations or are revenue matters so that they are subject to the March 1 deadline, have been drafted but have not been signed by the sponsors so that they may be introduced.

As today is the last day that such bills may be introduced, unless they are approved for introduction by the sponsors today, they cannot be introduced under the rules.

Mrs. Miller has copies of all these bills and is attempting to get the sponsors' signatures on all of them. To facilitate this, she is now stationed at the same desk in the hall leading into the Senate Chambers where Mr. Hazelton, the State Librarian is to be found and any of the listed sponsors who wish to sign

these bills and have them introduced today, are asked to contact her immediately at this location.

LSR 1039, relative to increasing the exemption and the rate of taxation on interest and dividends. Roberts, Belknap 3

LSR 1119, extending the moratorium on outdoor advertising on interstate highways and federal aid highway; establishing interim commission to study outdoor advertising. Kopperl, Merr. 12

LSR 1117, relative to the real estate transfer tax and the distribution thereof. Johnson, Cheshire 9

LSR 1294, eliminating the age requirement for retirement from the N. H. retirement system by group II members and making an appropriation therefor. Healy, Hills. 32, Stafford, Belknap 12

LSR 1571, relative to administrative functions of certain regulatory boards, and making an appropriation therefor. Roberts, Belknap 6

LSR 1607, to establish a correctional diagnostic service for persons convicted of a crime. Heald of Chesh. 15, Coutermarsh, Hills. 22

LSR 1032, to create community rehabilitation facility programs and making an appropriation therefor. McLane, Merr. 23, Raiche, Hills. 34

LSR 1034, to create a State Department of Corrections. Zachos, Hills. 27, Radway, Grafton 9

LSR 1096, providing that in four of the retirement systems the beneficiary of a member who dies while in service and who was over retirement age may elect to be paid certain benefits other than the return of the members contributions, and making an appropriation therefor. Cheney, Merr. 23

LSR 1166, to regulate the practice of land surveying. Claflin, Carroll 7

LSR 1030, establishing the position of rehabilitation counselor I. Angus, Sull. 4, Coutermarsh, Hills. 22

LSR 1100, providing for year-round inspections of motor vehicles and making an appropriation therefor. Reddy, Merr. 5



LSR 1033, to establish the position of coordinator of human resources in the office of the governor. C. Heald, Chesh. 15, Coutermarsh, Hills. 22

LSR 1295, eliminating the age requirement for retirement from the policemen's retirement system and making an appropriation therefor. Healy, Hills. 32, Stafford, Belknap 12

LSR 1019, to provide for a tax on business and corporate incomes and enacting the uniform division of income for tax purposes act. Trowbridge, Cheshire 4

LSR 1028, establishing the positions of training officer, communications officer and statistician in the division of vocational rehabilitation and making appropriation therefor. Raiche, Hills. 34, O'Neil, Chesh. 12

LSR 1027, establishing the position of administrative assistant in the division of vocational rehabilitation and making appropriation therefor. Raiche, Hills. 34, O'Neil, Cheshire 12

LSR 890, relative to collective bargaining rights of public employees, and making appropriation therefor. Coutermarsh, Hills. 22, Stafford, Belknap 12

As this list was prepared the first thing this morning, some of the above may have already been signed.

\* \* \*

Rep. Keeney called for the Special Order of Business on HB 2, relative to eligibility requirements for welfare benefits and to the duties of the advisory commission of the department of health and welfare.

The question being on the committee report, Ought to pass with amendment.

Reps. Cleon Heald and McLane spoke in favor of the amendment.

(discussion ensued)

Rep. McLane yielded to Rep. Cleon Heald to answer further questions.

Amendment adopted by vv. The Chair referred HB 2, to Appropriations under the Rules.

(Rep. O'Neil in the Chair)

## SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

HB 94, relative to the preparation of bills for submission to the Governor.

SB 21, recodifying to simplify the form of the statutes relative to salaries of County Attorneys, County Treasurers and County Commissioners.

SB 24, relative to the authority of Legislature to repeal the Charter of a voluntary corporation.

## FURTHER SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

HB 20, specifically including certain construction materials in the class of "merchandise" to be weighed by a public weigher.

HB 187, relative to acceptance of federal funds by fish and game department.

HB 270, permitting cities and towns to provide ambulance services.

HJR 25, making an additional appropriation for fiscal 1969 to continue printing of the market bulletin.

HB 52, relative to removal of bob houses from public and private property.

HB 155, relative to power of director of fish and game in removing nuisance animals, birds and fish.

HB 97, legalizing the annual meeting of the town of North Hampton, March 12, 1968.

HB 180, empowering the governor and council to establish the fees for the copies of records on certain rehearing and appeals under the personnel system.

HB 266, to provide for the pre-filing of bills with the director of legislative services.

HB 230, correcting certain technical errors in the chapter on taxes on transfer of real property.

HB 57, relating to judicial referees.

HB 73, relative to filling vacancies in the House of Representatives in multi-town districts.

HB 129, relative to the formation of non-profit corporations for mental health programs.

Rep. Cleon Heald moved that Rule 32 of the Rules of the House, in the paragraph regarding the Committee on Public, Health, Welfare and State Institutions, strike out "School for the feeble minded" and insert in place thereof "Laconia State School and Training Center".

Motion adopted by vv.

\* \* \*

#### RESOLUTION

Reps. Logan and Raiche offered the following resolution.

#### HOUSE CONCURRENT RESOLUTION NO. 8

*Whereas*, Town Meeting day occurs on Tuesday, March 11th, therefore be it

*Resolved*, by the House of Representatives, the Senate concurring, that the General Court meet on Wednesday, Thursday and Friday, March 12th, 13th, and 14th.

\* \* \*

Motion adopted by vv.

\* \* \*

#### SPECIAL ORDER OF BUSINESS

The Member from Exeter, Mr. Varrill, and the member from Concord, Mr. Newell offer the following amendment to the Rules of the House of Representatives:

Amend House Rules No. 15 by striking out the same and inserting in place thereof the following:

15 While the Speaker is putting a question or addressing the House, no one shall walk out of or across the House and while a member is speaking, no one shall pass between him and the chair nor entertain private discourse, nor shall any member leave his seat while the yeas and nays are calling.

\* \* \*

Rep. Varrill moved that the amendment to the Rules, agreeable to House Rule No. 47 be made a special order of business for Wednesday next, March 5th, at 11:01.

Motion adopted by vv.

\* \* \*

#### SENATE MESSAGE, INTRODUCTION OF SENATE BILLS AND REFERRED AS FOLLOWS:

The Senate has passed the following entitled bills & joint resolution in the passage of which it asks the concurrence of the House of Representatives:

SB 66, to apply a rule of comparative negligence to tort cases. To Judiciary.

SB 84, providing that a so-called Massachusetts trust, doing business in the State, shall be considered a foreign corporation. To Statutory Revision.

SJR 7, establishing a fact-finding panel. To Statutory Revision.

\* \* \*

On motion of Rep. Fortier the order whereby HB 393, increasing the travel allowance to members of the legislature, was referred to Constitutional Revision was vacated and the bill referred to Committee on Mileage.

(Speaker in the Chair)

#### RESOLUTIONS

Reps. Logan and Raiche offered the following resolutions:

*Whereas*, the week of February 24th, 1969, produced the worst storms in recent years, and

*Whereas*, the staffs of the State Treasurer and the Director of Accounts worked way beyond the call of duty in a dedicated effort to process the manifests and checks in order that the legislature could receive their checks on Thursday, February 27th, therefore be it

*Resolved*, that we, the members of the House of Representatives in General Court convened do hereby commend the staffs of the State Treasurer and the Director of Accounts for their fine work, and be it further

*Resolved*, that a copy of these resolutions be transmitted to them.

\* \* \*

Resolutions adopted by vv.

Rep. Trowbridge moved that the Rules of the House be so far suspended as to permit the introduction of bills containing appropriations or raising revenue and Concurrent Resolutions proposing Constitutional Amendments as late as Wednesday, March 5th and spoke in favor of the motion.

Rep. Logan spoke in favor of the motion.

Motion adopted by vv.

## RECONSIDERATION

Rep. Roma Spaulding moved to reconsider HB 201, allowing local option by towns in granting to veterans the service exemption from property taxes, which was voted "inexpedient to legislate" and spoke in favor of the motion.

(discussion ensued)

At the request of Rep. Varrill, Rep. Spaulding answered questions.

Rep. Roma Spaulding spoke a second time in favor of reconsideration.

(discussion ensued)

Rep. Angus spoke against the motion to reconsider.

Motion lost by vv.

## RECONSIDERATION

Rep. Maynard, having voted with the majority, moved that the House reconsider HB 226, making appropriations for the purchase, operation and maintenance of a state-owned aircraft, whereby it indefinitely postponed HB 266 and spoke against the motion.

Rep. Brummer asked to have reconsideration on HB 266 held up until Rep. Coutermarsh could be present.

Rep. Raiche moved that the request for reconsideration be laid on the table.

Motion adopted by vv.

Rep. Fortin requested a division.

## PARLIAMENTARY INQUIRY

Rep. Healy rose on a point of parliamentary inquiry.

The Chair ruled that it would take a majority vote to lay on the table or remove from the table.

160 members having voted in the affirmative and 133 in the negative, reconsideration of HB 266 was laid on the table.

\* \* \*

## COMMITTEE APPOINTMENT

The Chair appointed the following Representatives to serve on Emergency Session Committee: Rep. Tilton, Chairman, Rep. Ellms, Rep. Elmer Johnson, Rep. Fortier, Rep. Kopperl.

\* \* \*

Rep. Logan called for the special order for 11:02 and further moved that all bills placed on the calendar under Rule 56, except HB 182, relative to form of biennial election ballots so far as federal officers are concerned, HJR 15, in favor of Madeline F. Fairbanks, HB 124, covering into the state personnel system certain non-academic employees of the University of New Hampshire and the state colleges and HB 126, reducing the basic work week of law enforcement employees to forty hours, be granted a six-day extension under Rule 56 and spoke in favor of the motion.



At the request of Rep. Clafin, Rep. Logan answered questions.

Motion adopted by vv.

\* \* \*

## COMMITTEE REPORTS

HB 182, relative to form of biennial election ballots so far as federal officers are concerned. Rep. Griffin for Judiciary. Inexpedient to legislate.

Resolution adopted by vv.

HJR 15, in favor of Madeline F. Fairbanks. Rep. Varrill for Claims, Military and Veterans Affairs. Ought to pass.

Ordered to third reading by vv.

HB 124, covering into the state personnel system certain non-academic employees of the University of New Hampshire and the state colleges. Rep. Watson for Executive Departments and Administration. Ought to pass with amendment.

## AMENDMENT

Amend the title of the bill by striking out the same and inserting in place thereof the following:

### An Act

establishing a coordinating committee of nonacademic employees at the University of New Hampshire to discuss grievances with the president.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Coordinating Committee. Amend RSA 187 by inserting after section 37 the following new subdivision:

### Nonacademic Employee Coordinating Committee

187:38 Committee Established. There is hereby established a coordinating committee of nonacademic employees of the University of New Hampshire and the state colleges.

187:39 Duties. It shall be the duty of said committee to maintain open and close communication channels between the

university of New Hampshire nonacademic employees and the president of the university and to discuss any grievances or other problems that may arise concerning employee/employer relationship.

187:40 Membership. The membership on said committee shall be for a term of two years as follows:

I. Three nonacademic employees, one each from Keene, Plymouth, and Durham, respectively, to be elected by secretarial and/or clerical employees.

II. Three nonacademic employees, one each from Keene, Plymouth, and Durham respectively, to be elected by other nonadministrative employees.

III. Three members of the permanent staff of the university of New Hampshire to be appointed by the president, one each to represent the personnel department at Keene, Plymouth, and Durham respectively.

IV. One member who will serve as the personal representative of the president of the university.

187:41 Meetings. Meetings shall be held as follows:

I. Monthly meetings shall be held by sub-committees consisting of the three members at each campus at each of the respective locations.

II. Quarterly meetings shall be held by the full committee. Each of said quarterly meetings shall be held at a different location, Keene, Plymouth, and Durham, on a rotating basis. The member representing the president of the university of New Hampshire, shall be the chairman of the quarterly meetings.

2 Effective Date. This act shall take effect sixty days after its passage.

\* \* \*

Rep. Shirley Clark explained the amendment.

(discussion ensued)

Rep. Merrill moved that HB 124 be made a special order of business for 11:01 Wednesday, March 5th, and that the amendment be printed in the Journal.

Motion adopted by vv.

HB 126, reducing the basic work week of law enforcement employees to forty hours. Rep. MacDonald for Executive Departments and Administration. Inexpedient to legislate; covered by other legislation.

Resolution adopted by vv.

The Chair announced that today is the birthday and wedding anniversary of Rep. Dorothy Davis of Moultonborough.

\* \* \*

On motion of Rep. Stafford the House adjourned from the early session and the Rules of the House were so far suspended as to permit reading of a House Joint Resolution by caption only, and that when the House adjourns today it be to meet tomorrow at 11:00 o'clock.

#### LATE SESSION THIRD READINGS

The following House Joint Resolution was read a third time, passed, and sent to the Senate for concurrence.

HJR 15, in favor of Madeline F. Fairbanks.

\* \* \*

On motion of Rep. Claude Foster the House adjourned at 12:45 P.M.

---

*Wednesday, March 5, 1969*

(Rep. O'Neil in the Chair)

The House met at 11:00 o'clock.

#### JOINT CONVENTION

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

It is not enough, O Lord, that we live our creature lives of eating and drinking and sleeping, nor that we live our human

lives of working and playing, of sowing and reaping, of earning and spending — for these do not completely satisfy us. Help us to add that dimension, that quality of life that both sustains and satisfies. Make us more responsive to Thy Spirit working in us, sensitive to that guidance which will make us men and women of loving hearts, good deeds, and eternal worth. May we be strengthened by Thy comfort, undistressed by any loss or adverse circumstance. May we be ever eager to discover and accept Thy Truth, and unto Thy Way commit our lives to dedicated public service. Amen.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Austin led the Convention in the Pledge of Allegiance to the Flag.

The Chair introduced His Excellency Governor Peterson who addressed the House as follows:

### GOVERNOR WALTER PETERSON STATEMENT TO THE LEGISLATURE

MARCH 5, 1969

I requested this joint session of the House and Senate this morning for the purpose of introducing to you the man who has kindly consented to serve as Chairman of the Citizens Task Force.

This is a distinct pleasure since our Chairman certainly is one of New Hampshire's most distinguished citizens.

As a noted industrialist, our Chairman founded and heads a New Hampshire based corporation that ranks in the top 500 of the nation's firms, employing more than 10,000 people.

As a noted scientist, our Chairman was awarded the U.S. Navy's Distinguished Public Service Award for his contribution of systems development for our Naval Forces.

As a humanitarian, he has demonstrated an acute awareness of the necessity of broadening the private sector's involvement in the solution of social and economic problems. His corporation is noted for its support of numerous civic, cultural and educational endeavors.

A quiet, thoughtful man, he brings to this task the wisdom of experience in an ever broadening industrial endeavor. We are indeed fortunate and honored by his willingness to serve.

May I present to you, the Chairman of the Citizens Task Force, Royden C. Sanders, Jr., President of Sanders Associates of Nashua, New Hampshire.

His Excellency Governor Peterson introduced Mr. Royden C. Sanders, Jr. of Sanders Associates, Chairman of the Citizen's Task Force who addressed the House as follows:

REMARKS MADE BY ROYDEN C. SANDERS, JR.  
TO THE NEW HAMPSHIRE LEGISLATURE

MARCH 5, 1969

Governor Peterson, Senate President Lamprey, Speaker Cobleigh, Honorable Members of the House and Senate: first, my sincere thanks for the privilege of addressing you this morning.

I have accepted Governor Peterson's invitation to serve as Chairman of the Citizen's Task Force.

I do so for several reasons.

First, I agree wholeheartedly with our Governor as to the need for a qualitative analysis of the effectiveness of State Government.

Second, I am convinced that the welcome, yet often disruptive, forces of growth in our State must be planned for now, for if we postpone our planning until a time of crisis, our decision may not reflect the wisdom that so often comes from quiet thought.

Third, as a private citizen, not involved in the arduous task of legislating and governing, I say in all candor that our fellow citizens, regardless of political calling, look to government to make the best possible use of our present resources, both human and material.

Governor Peterson has stated that the Citizen's Task Force will be nonpartisan in composition and certainly in no way committed to any particular philosophy.

It is my opinion that the concerned people of New Hamp-

shire and you, the legislating bodies of our State Government, are our greatest asset. We intend to seek your ideas and the ideas of every interested department and group in the State of New Hampshire.

Let me assure you that I do not bring any preconceived notion to this Task other than the belief that we must strive diligently to preserve the unique quality of life that is the essence of New Hampshire.

On that note I pledge my best efforts to assist you in making those decisions which in the final analysis are only yours to make.

On motion of Senator Bradshaw, the Convention rose.

On motion of Rep. Bridges the remarks of His Excellency Governor Peterson and Mr. Sanders were printed in the journal.

\* \* \*

### GUESTS OF THE HOUSE

The fourth grade from the Searles School of Windham were guests of the House today, courtesy of Rep. Tarbell.

Mr. Ed. Westfall of the Boston Bruins was a guest of the House today, courtesy of Rep. Cares.

### LEAVES OF ABSENCE

Rep. Cone was granted leave of absence for today and tomorrow on account of important business.

### RESOLUTION

Rep. Logan offered the following resolution:

Resolved, that in accordance with the list in the possession of the clerk, House Bills numbered 433 through 454 and House Joint Resolution numbered 57 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.



## INTRODUCTION OF BILLS

The following bills and joint resolution were read a first and second time, laid on the table for printing and referred as follows:

HB 433, increasing the salaries of classified, temporary and seasonal employees. (Angus of Sullivan Dist. 4 — To Executive Departments & Administration.)

HB 434, relative to the New Hampshire Retirement System and making an appropriation therefor. (Chase of Merrimack Dist. 27 — To Appropriations.)

HB 435, providing that in four of the retirement systems the beneficiary of a member who dies while in service and who was over retirement age may elect to be paid certain benefits other than the return of the members contributions, and making an appropriation therefor. (Cheney of Merrimack Dist. 23 — To Executive Departments & Administration.)

HB 436, providing for year-round inspections of motor vehicles and making an appropriation therefor. (Reddy of Merrimack Dist. 5 — To Transportation.)

HB 437, establishing a statewide educational testing program, and making an appropriation therefor. (O'Neil of Cheshire Dist. 12 — To Education.)

HB 438, requiring permits for the display of outdoor advertising signs. (MacKenzie of Cheshire Dist. 16 — To Public Works.)

HB 439, relative to administrative functions of certain regulatory boards, and making an appropriation therefor. (Roberts of Belknap Dist. 6 — To Executive Departments & Administration.)

HB 440, increasing the interest and dividends exemption and the rate of such tax. (Roberts of Belknap Dist. 3 — To Ways & Means.)

HB 441, to regulate the practice of land surveying. (Clafflin of Carroll Dist. 7 — To Public Works.)

HB 442, to create a state department of corrections. (Zachos of Hillsborough Dist. 27, Radway of Grafton Dist. 9 — To Labor.)

HB 443, extending the moratorium on outdoor advertising on interstate and federal aid highways and establishing an interim committee to study outdoor advertising in New Hampshire and making an appropriation therefor. (Kopperl of Merrimack Dist. 12, Tilton of Grafton Dist. 1 — To Public Works.)

HB 444, establishing an interstate compact on mentally disordered offenders. (MacDonald of Merrimack Dist. 25, Martin of Belknap Dist. 8 — To Labor.)

HB 445, relative to dangerous sexual offenders. (Martin of Belknap Dist. 8, MacDonald of Merrimack Dist. 25 — To Statutory Revision.)

HB 446, to preserve certain scenic sites and areas in New Hampshire and making an appropriation therefor. (Remick of Carroll Dist. 4, Thurston of Coos Dist. 10 — To Appropriations.)

HB 447, establishing the position of administrative assistant in the division of vocational rehabilitation and making an appropriation therefor. (Raiche of Hillsborough Dist. 34, O'Neil of Cheshire Dist. 12 — To Labor.)

HB 448, establishing the positions of training officer, communications officer and statistician in the division of vocational rehabilitation and making appropriations therefor. (O'Neil of Cheshire Dist. 12, Raiche of Hillsborough Dist. 34 — To Labor.)

HB 449, to create community rehabilitation facility programs and making an appropriation therefor. (McLane of Merrimack Dist. 23, Raiche of Hillsborough Dist. 34 — To Labor.)

HB 450, providing for state payment for public assistance programs and making an appropriation therefor. (Howard of Merrimack Dist. 26, Wallin of Hillsborough Dist. 14 — To Appropriations.)

HB 451, eliminating the age requirement for retirement from the New Hampshire retirement system by group II members and making an appropriation therefor. (Healy of Hillsborough Dist. 32, Stafford of Belknap Dist. 12 — To Executive Departments & Administration.)

HB 452, eliminating the age requirement for retirement from the policemen's retirement system and making an appro-

priation therefor. (Healy of Hillsborough Dist. 32, Stafford of Belknap Dist. 12 — To Executive Departments & Administration.)

HB 453, providing for a state-wide educational testing program and making an appropriation therefor. (Goode of Hillsborough Dist. 26 — To Education.)

HB 454, to provide for a tax on business and corporate incomes and enacting the uniform division of income for tax purposes act. (Trowbridge of Cheshire Dist. 4 — To Ways and Means.)

HJR 57, making appropriation for the purchase and installation of an electronic roll call system for the house of representatives. (Roberts of Belknap Dist. 6, Bridges of Hillsborough Dist. 13 — To Appropriations.)

### COMMITTEE REPORTS

HB 256, making an appropriation for the cost of moving and paying rental of state departments to make space available for the 1969 General Court. Rep. George Roberts for Appropriations. Ought to pass.

At the request of Rep. Williamson, Rep. Drake answered questions.

(discussion ensued)

Ordered to third reading by vv.

HB 257, relative to adjustment of salaries of classified state employees based on cost-of-living index and making an appropriation therefor. Rep. Shirley Clark for Executive Departments and Administration. That it be referred to the Advisory Committee to study the salaries of state officials and employees.

The report was accepted.

HB 263, for overtime pay for classified state employees and making an appropriation therefor. Rep. MacDonald for Executive Departments and Administration. Ought to pass with amendment.

### AMENDMENT

Amend RSA 99-D:5 as inserted by section 1 of said bill by striking out the same and inserting in place thereof the following:

99-D:5 Law Enforcement Employees. In addition to their regular compensation, a classified law enforcement employee shall be paid at the rate of one and one-half times his regular compensation when he has worked over forty hours, but not to exceed forty-eight hours, in any workweek. Law enforcement employees shall include state police officers, liquor investigators, conservation officers and district fire chiefs.

99-D:6 Definition of a Workweek. A workweek is a regularly recurring period of 168 hours in the form of seven consecutive twenty-four hour periods. The workweek need not coincide with the calendar week, it may begin any day of the week and any hour of the day.

99-D:7 Emergencies. With the exception of law enforcement personnel overtime rates as provided herein shall not apply during any state of emergency declared by the governor and council.

Further amend said bill by inserting after section 2 the following new section:

3 Special Formula. Amend RSA 99:2 (supp) as inserted by 1965, 164:2 by striking out said section and inserting in place thereof the following:

99:2 Annual and Sick Leave. All classified state employees performing regularly scheduled work in excess of five days per week, which shall have included not less than a basic forty-hour work schedule, shall be entitled to annual leave and sick leave credit for the regularly scheduled time worked, not to exceed six days, on the basis of the following formula:

Days Per Week

$5\frac{1}{2}$  days =  $1\frac{3}{8}$  days annual leave and  $1\frac{3}{8}$  days sick leave per month.

6 days =  $1\frac{1}{2}$  days annual leave and  $1\frac{1}{2}$  days sick leave per month.

Accrued annual leave and sick leave shall not exceed a maximum accumulative allowance on the basis of the following formula:

Days Per Week	Annual and Sick Leave	Maximum	Maximum
	Accrued Per Month	Accumulative Annual Leave	Accumulative Sick Leave
5½ day week	1⅓ days	33 work days	99 work days
6 day week	1½ days	36 work days	108 work days

Further amend said bill by striking out section 3, renumbering the same and inserting in place thereof the following:

4 Appropriation. There are hereby appropriated for the fiscal year ending June 30, 1970 for the payments for state employees as provided herein, the following sums: Nine hundred ninety thousand three hundred four dollars from highway funds; four hundred eighteen thousand ninety-five dollars from general funds; seventy-four thousand four hundred twenty-four dollars from fish and game funds; five thousand dollars from federal funds; and two thousand dollars from self-sustaining funds. For the fiscal year ending June 30, 1971 there is hereby appropriated for state employees as provided herein, the following sums: Nine hundred ninety-three thousand eight hundred sixty dollars from highway funds; four hundred nineteen thousand two hundred forty dollars from general funds; seventy-four thousand seven hundred dollars from fish and game funds; five thousand dollars from federal funds, and two thousand dollars from self-sustaining funds. The governor is hereby authorized to draw his warrant for the sums hereinbefore mentioned from the special funds and general funds.

Further amend said bill by renumbering section 4 to read section 5.

Amendment adopted by vv, referred to Appropriations under the Rules.

HB 335, restructuring the department of resources and economic development, was withdrawn by committee.

HB 316, relative to the appointment of safety inspectors and to the police powers of certain personnel. Rep. Van Gardner for Executive Departments and Administration. Ought to pass.

Ordered to third reading by vv.

HB 51, relative to power of arrests by fish and game con-



servation officers. Rep. Buckman for Judiciary. Inexpedient to legislate.

Resolution adopted by vv.

SB 42, relative to the expiration date of snowmobile registrations. Rep. Buckman for Judiciary. Ought to pass.

Rep. Zachos explained the bill.

Ordered to third reading by vv.

HJR 40, providing for a special legislative committee to study methods of leasing store operations in state parks. Rep. Leo Dion for Legislative Revision. Ought to pass with amendment.

#### AMENDMENT

Amend the resolution by striking out all after the resolving clause and inserting in place thereof the following:

There is hereby established a special legislative committee to make a study of the most satisfactory methods of leasing store operations and hiring services in state parks. The committee shall consist of eight members, three of whom shall be appointed by the president of the senate and five of whom shall be appointed by the speaker of the house of representatives. The committee shall submit a report of its recommendations to the legislature on or before May 1, 1969, together with drafts of any bills which may be necessary to begin implementing said recommendations. It is the intent of this resolution, in establishing said committee, to achieve the most efficient method of leasing store operations in state parks.

At the request of Rep. Brungot, Rep. Mackintosh explained the amendment.

(discussion ensued)

Amendment adopted and the bill ordered to third reading by vv.

HB 17, relative to air rifles. Rep. Burleigh for Statutory Revision. Ought to pass with amendment.

#### AMENDMENT

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:



1 Air Rifles, Etc. Amend RSA 571 by inserting after section 30 (supp) the following new subdivision:

### Air Guns

571:31 Definitions. As used in this subdivision, the following terms shall have the following meanings:

I. The term "air gun" means any gun, rifle or pistol, by whatever name known, which is designed to expel a projectile by the action of compressed air or gas, or any other device, or by the action of a spring or elastic, but does not mean a firearm.

II. The term "dealer" means any person engaged in the business of selling at retail or renting any of the articles designated in the preceding section.

#### 571:32 Transfer Prohibited.

I. It shall be unlawful for any dealer to sell, lend, rent, give, or otherwise transfer an air gun or any pellets or projectiles used therein to any person under the age of sixteen years.

II. It shall be unlawful for any person to give, lend, or otherwise transfer any air gun to any person under sixteen years of age, except where the relationship of parent and child, guardian and ward, or adult instructor and pupil exists between such person and the person under sixteen years of age.

571:33 Possession Permitted. Notwithstanding any inconsistent provision of this subdivision or any other provisions of this law, it shall be lawful for any person under sixteen years of age to have in his possession any air gun as defined in section 31 if the said air gun is:

I. Kept within his domicile.

II. Used by the person under sixteen years of age and he is a duly enrolled member of any club, team or society organized for educational purposes and maintaining as part of its facilities or having written permission to use an indoor or outdoor rifle range, to possess, load and fire at such rifle range under the supervision, guidance, and instruction of a responsible adult.

III. Used in or on any private grounds or residence under circumstances when such air gun defined in section 31 can be

fired, discharged or operated in such a manner as not to endanger persons or property and also in such manner as to prevent the projectile from transversing any grounds or space outside the limits of such grounds or residence.

571:34 Where Prohibited.

I. It shall be unlawful for any person under sixteen years of age to carry an air gun on the streets, alleys, public roads, or public lands within the state of New Hampshire unless accompanied by an adult, provided, however, that said person under sixteen years of age may carry such air gun, unloaded, in a suitable case or securely wrapped.

II. It shall be unlawful for any person to discharge any air gun from or across any street, sidewalk, alley, or public land, or any public place, except on a properly constructed target range, or except public land where hunting is permitted.

571:35 Penalty. Any person convicted of violating the provisions of this subdivision shall, upon conviction thereof, be punished by a fine of not more than five hundred dollars, or imprisonment for not more than ninety days, or both such fine and imprisonment in the discretion of the court, and shall be liable for damages.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

The Chair called for the Special Order for 11:01 on HB 124, covering into the state personnel system certain non-academic employees of the University of New Hampshire and the state colleges.

Rep. Morrill moved that HB 124 be made a Special Order of Business for tomorrow at 11:01 and spoke in favor of the motion.

Rep. Shirley Clark spoke in favor of the motion.

At the request of Rep. Peter Murphy, Rep. Morrill answered a question.

Rep. Peter Murphy requested that his proposed amendment to HB 124 be printed in today's Journal.

Motion adopted by vv.

## Proposed amendment to HB 124

Amend the bill by striking out section 2 and inserting in place thereof the following new section:

Minimum Compensation. Amend RSA 187:8 as amended by 1963, 303:6 by inserting after paragraph IX thereof the following new paragraph: X. The salary ranges of all personnel of the University of New Hampshire and Keene and Plymouth state colleges shall be no less than those prescribed for the grades of classified state service involving comparable work and duties, as provided by RSA 99 as now or hereafter amended, except that the provisions of this paragraph shall not be in effect after June 30, 1971.

Effective Date. This act shall take effect July 1, 1969.

\* \* \*

The Chair called for the Special Order for 11:02 on Amendment to House Rule 15.

Rep. Newell explained the amendment.

## AMENDMENT

Amend House Rules No. 15 by striking out the same and inserting in place thereof the following:

15 While the Speaker is putting a question or addressing the House, no one shall walk out of or across the House and while a member is speaking, no one shall pass between him and the chair nor entertain private discourse, nor shall any member leave his seat while the yeas and nays are calling.

\* \* \*

(discussion ensued)

Reps. Angus, Brummer and Brungot spoke in favor of the amendment.

Reps. George Roberts spoke against the amendment.

Amendment adopted by vv.

## PARLIAMENTARY INQUIRY

Rep. George Roberts rose on a point of Parliamentary inquiry, and asked if the adoption of an amendment to a house rule took a two-thirds vote. The Chair agreed and Rep. Roberts requested a division.

227 members having voted in the affirmative and 22 in the negative, the amendment was adopted.

\* \* \*

## COMMITTEE REFERENCE

On motion of Rep. Aucella the order whereby HB 411, prohibiting unfair methods of competition and unfair or deceptive acts or practices in trade and commerce and making an appropriation therefor, was referred to Constitutional Revision be vacated and HB 411 be referred to Executive Departments and Administration.

\* \* \*

Rep. Collishaw moved that the Rules of the House be so far suspended as to permit the introduction today of a committee report on SB 68, authorizing the liquor commission to open state stores on election day, scheduled for action tomorrow and spoke in favor of the motion.

Motion adopted by vv.

## COMMITTEE REPORT

SB 68, authorizing the liquor commission to open state stores on election day, Rep. Collishaw for Liquor Laws. Ought to pass.

At the request of Rep. MacDonald, Rep. Collishaw answered a question.

(discussion ensued)

Rep. Angus explained the bill.

Ordered to third reading by vv.

## RESOLUTIONS

Reps. Bowles, Quirk, Osborn, Jameson, White & Splaine of the Portsmouth Delegation offered the following resolutions.

## RESOLUTIONS

*Whereas*, we have learned with regret of the death of Henry S. Murch, Jr., former Representative from Portsmouth, and

*Whereas*, Mr. Murch served his community faithfully and with efficiency, therefore be it

*Resolved*, that we, the members of the House of Representatives in General Court convened, do hereby extend our sympathy to the family of Mr. Murch, and be it further

*Resolved*, that a copy of these resolutions be transmitted to his family.

\* \* \*

Resolutions unanimously adopted by vv.

## RESOLUTIONS

Reps. Drew, Canney and Tebbets offered the following resolutions.

## RESOLUTIONS

*Whereas*, we have learned with regret of the death of Carl Blanchard, former Representative from Farmington, and

*Whereas*, Mr. Blanchard served his community faithfully and with efficiency, therefore be it

*Resolved*, that we, the members of the House of Representatives in General Court convened, do hereby extend our sympathy to the family of Mr. Blanchard, and be it further

*Resolved*, that a copy of these resolutions be transmitted to his family.

\* \* \*

Resolutions unanimously adopted by vv.

On motion of Rep. Claflin the order whereby HB 380, relative to the mode of acquisition of dams by the state, was re-

ferred to Appropriations be vacated and the bill be referred to Resources, Recreation and Development.

\* \* \*

### SENATE MESSAGE

The Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 19, providing certain holidays be observed on Mondays each year.

#### Proposed Amendment to HB 19

Amend section 2 of the bill by striking out said section and inserting in place thereof the following:

2 Effective Date. This act shall take effect January 1, 1971.

\* \* \*

On motion of Rep. Aucella the House concurred in the Senate amendment.

### COMMITTEE CHANGE

The Chair announced that Rep. Danielchik had resigned from the committee on Banks and Insurance.

### RESOLUTION

Rep. McMeekin offered the following resolution:

Resolved, that in accordance with the list in the possession of the clerk, House Bills numbered 455 through 463 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.



## INTRODUCTION OF BILLS

## SUPPLEMENT LIST FOR MARCH 5, 1969

HB 455, to establish a correctional diagnostic service for persons convicted of a crime. (Heald of Cheshire Dist. 15, Coutermarsh of Hillsborough Dist. 22 — To Appropriations.)

HB 456, relative to the salaries of the supreme and superior court justices and making an appropriation therefor. (Nixon of Hillsborough Dist. 5 — To Judiciary.)

HB 457, to establish the position of coordinator of human resources in the office of the governor. (Heald of Cheshire Dist. 15, Coutermarsh of Hillsborough Dist. 22 — To Appropriations.)

HB 458, establishing the position of rehabilitation counselor I. (Angus of Sullivan Dist. 4, Coutermarsh of Hillsborough Dist. 22 — To Public Health, Welfare & Institutions.)

HB 459, relative to collective bargaining rights of public employees. (Coutermarsh of Hillsborough Dist. 22, Stafford of Belknap Dist. 12 — To Executive Departments & Administration.)

HB 460, establishing certain rights of public school teachers, prohibiting certain practices which are inimical to the welfare of the public schools, and providing for the orderly and peaceful resolution of disputes between public school teachers and school boards. (Chase of Merrimack Dist. 27, Carrier of Hillsborough Dist. 27, Gile of Merrimack Dist. 5 — To Education.)

HB 461, establishing the governor's committee on employment of the handicapped and making an appropriation therefor. (Bridges of Hillsborough Dist. 13 — To Labor.)

HB 462, establishing the committee on legislator orientation. (Sherman of Merrimack Dist. 2 — To Legislative Revision.)

HB 463, relative to the tax on the transfer of real property. (Johnson of Cheshire Dist. 9 — To Ways & Means.)

\* \* \*

On motion of Rep. George Roberts the House adjourned from the early session and the Rules of the House were so far

suspended as to permit reading of bills by title only and House Joint Resolutions by caption only, and that when the House adjourns today it be to meet tomorrow at 11:00 o'clock.

### LATE SESSION THIRD READINGS

The following House Bills and House Joint Resolutions were read a third time, passed, and sent to the Senate for concurrence.

HB 256, making an appropriation for the cost of moving and paying rental of state departments to make space available for the 1969 General Court.

HB 316, relative to the appointment of safety inspectors and to the police powers of certain personnel.

HJR 40, providing for a special legislative committee to study methods of leasing store operations in state parks.

HB 17, relative to air rifles.

\* \* \*

The following Senate Bills were read a third time, passed, and sent to the Secretary of State to be engrossed.

SB 42, relative to the expiration date of snowmobile registrations.

SB 68, authorizing the liquor commission to open state stores on election day.

\* \* \*

### RECONSIDERATION

Rep. Saggiotes, having voted with the majority, served notice that today or some subsequent day he would ask for reconsideration of SB 68, authorizing the liquor commission to open state stores on election day, and subsequently withdrew his notice.

\* \* \*

### RECONSIDERATION

Rep. Coggeshall, having voted with the majority, served notice that today or some subsequent day he would ask for re-

consideration of SB 68, authorizing the liquor commission to open state stores on election day.

\* \* \*

Reps. Hamel and Anthony Randall wished to be recorded as voting against SB 68.

\* \* \*

On motion of Rep. Esther Davis the House adjourned at 12:14 P.M.

---

## *Thursday, March 6, 1969*

The House met at 11:00 o'clock.

(Rep. Logan in the Chair)

### HOUSE

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

O LORD, grant Thy blessing we pray Thee upon our work today, that we may do it in faith and in charity, with compassion and concern. All our powers of body and mind are Thine, and we are eager to devote them to Thy service. Sanctify our endeavors — let us not be slothful, but fervent in spirit — and do Thou, O LORD, so bless our efforts that they may bring forth in us the fruits of true wisdom. Teach us to seek after truth and enable us to gain it, grant that we may ever speak that truth in love and express that truth in our constitutional action. So bless, O LORD, our House Speaker as he rests from his labors during the period of his medical confinement, let Thy healing powers restore him to our fellowship soon, and comfort his family in these anxious moments. Watch over us, O LORD, as we conclude our work today, safely returning us to our homes, and reuniting us in a new week of labor. Amen.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. McCuin led the House in the Pledge of Allegiance to the Flag.

(Rep. O'Neil in the Chair)

Rep. Coggeshall withdrew his notice of reconsideration of SB 68, authorizing the liquor commission to open state stores on election day.

### LEAVES OF ABSENCE

Rep. Tarbell was granted leave of absence for the day on account of illness.

Reps. Maglaras and Stimmell were granted leave of absence for the day on account of important business.

\* \* \*

### RESOLUTION

Rep. McMeekin offered the following resolution:

Resolved, that in accordance with the list in the possession of the clerk, House Bills number 464 through 466 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committee.

\* \* \*

Resolution adopted by vv.

### INTRODUCTION OF BILLS

The following bills were read a first and second time, laid on the table for printing and referred as follows:

HB 464, relative to anatomical gifts. (Bennett of Cheshire Dist. 9, Logan of Sullivan Dist. 1, Cobleigh of Hillsborough Dist. 15 — To Judiciary.)

HB 465, increasing the state guaranty of payment of a first security interest in machinery and equipment by the industrial development authority. (Johnson of Grafton Dist. 9 — To Appropriations.)

HB 466, relative to teacher-public relations. (Stevenson of Grafton Dist. 1 — To Education.)

The title of HB 454 was omitted from the list of bills introduced on March 5:

HB 454, to provide for a tax on business and corporate incomes and enacting the uniform division of income for tax purposes act. (Trowbridge of Cheshire Dist. 4 — To Ways & Means.)

## RECONSIDERATION

Rep. D'Amante, having voted with the majority, moved that the House reconsider its action whereby it killed SB 12, to prohibit the use of household furniture as collateral for small loans, and spoke in favor of the motion.

Motion lost by vv.

## REPORT OF COMMITTEE ON ENGROSSED BILLS

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bill and Senate Bills:

HB 94, An Act relative to preparation of bills for submission to the governor.

SB 21, An Act recodifying to simplify the form of the statutes relative to salaries of county attorneys, county treasurers and county commissioners.

SB 24, An Act relative to authority of legislature to repeal the charter of a voluntary corporation.

SB 68, An Act authorizing the liquor commission to open state stores on election day.

Roxie A. Forbes,  
for the Committee

## COMMITTEE REPORTS

HB 343, relative to the burden of proof in actions for a declaratory judgment concerning insurance coverage. Ought to pass. Rep. Tremblay for Banks and Insurance.

Ordered to third reading by vv.

HB 387, relative to the enforceability of small loans made outside of the state. Inexpedient to legislate; subject matter covered by pending legislation. Rep. Nalette for Banks and Insurance.

Resolution adopted by vv.

HJR 14, in favor of Leon A. Hoik. Inexpedient to legislate. Rep. Rep. Varrill for Claims, Military and Veterans Affairs.

Resolution adopted by vv.

CA-CR 15, relating to the terms of office for Governor, State Senator and State Representative. Inexpedient to legislate. Rep. Aucella for Constitutional Revision.

Rep. Maloomian moved that the words "ought to pass" be substituted for the committee report "inexpedient to legislate" and spoke in favor of the motion.

(discussion ensued)

Rep. Brungot spoke against the motion.

Motion lost by vv.

CA-CR 8, relating to when the General Court is to meet, was withdrawn by committee.

HB 219, enacting the Interstate Agreement on Qualification of Educational Personnel. Ought to pass. Rep. Dunham for Education.

Ordered to third reading by vv.

HB 220, relative to power of McIntosh College, Inc., to grant degrees. Ought to pass with amendment. Rep. Dunham for Majority.

### AMENDMENT

Amend said bill by inserting after section 1 the following new section:

2 Repeal. Laws of 1965, 472:3, relative to granting of additional degrees by McIntosh College, Inc., is hereby repealed.

Further amend said bill by renumbering 2 to read section 3.

\* \* \*

Minority: Rep. Peter Murphy. Ought to pass.

Rep. Peter Murphy moved that the words "ought to pass" be substituted for the Majority report, "ought to pass with amendment," and spoke in favor of the motion.

Rep. Greene spoke against the motion.

Motion lost by vv.



Amendment adopted and the bill ordered to a third reading by vv.

\* \* \*

Rep. Cares moved that HB 266, making appropriations for the purchase, operation and maintenance of a state owned aircraft, be taken from the table, and spoke in favor of the motion.

Motion lost by vv.

### PARLIAMENTARY INQUIRY

Rep. Cares rose on a point of parliamentary inquiry.

Rep. Stevenson rose on a point of parliamentary inquiry.

The Chair stated if the House does not take the bill from the table it will continue to lay on the table.

### POINT OF ORDER

Rep. Healy rose on a point of order.

Rep. Cares requested a division.

159 members having voted in the affirmative and 101 in the negative, the motion to take from the table prevailed.

### RECONSIDERATION

Rep. Coutermarsh, having voted with the majority, moved that the House reconsider its action whereby it indefinitely postponed HB 266, making appropriations for the purchase, operation and maintenance of a state owned aircraft, and spoke in favor of the motion.

### PARLIAMENTARY INQUIRY

Rep. McMeekin rose on a point of parliamentary inquiry.

The Chair stated that the motion to reconsider is debatable.

(discussion ensued)

Rep. Fortin spoke against the motion.

Rep. Watson spoke in favor of the motion.

(discussion ensued)

Rep. Brungot spoke in favor of the motion.

Rep. Maynard spoke against the motion.

Rep. Maloomian moved the previous question and it was sufficiently seconded.

The question being, shall the main question now be put.

Motion adopted by vv.

The question now being that the House reconsider its action whereby HB 266 was indefinitely postponed.

Rep. Coutermarsh requested a division.

116 members having voted in the affirmative, it being manifestly in the negative, the Chair declared the motion lost.

#### COMMITTEE REPORTS CONTINUED

HB 297, relative to general housekeeping changes in the laws concerning the state board of education. Ought to pass with amendment. Rep. Dunham for Education.

#### AMENDMENT

Amend the bill by striking out section 1.

Further amend the bill by renumbering sections 2, 3, 4, 5, 6, 7, 8, and 9 to read sections 1, 2, 3, 4, 5, 6, 7 and 8 respectively.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

HB 298, relative to procedure for annexation of a school district to a cooperative school district. Ought to pass. Rep. Dunham for Education.

Ordered to third reading by vv.

HB 299, relative to general changes in the statutes concerning school district. Ought to pass. Rep. Dunham for Education.

Rep. Lawton offered the following amendment.

## AMENDMENT

Amend said bill by striking out section 9 in its entirety and renumbering sections 10, 11, 12, 13, 14 and 15 to read 9, 10, 11, 12, 13 and 14 respectively.

The Clerk read the amendment in full.

Rep. Lawton explained his amendment.

Rep. Elmer Johnson spoke in favor of the proposed amendment.

Reps. Greene and Raiche spoke against the proposed amendment.

(discussion ensued)

Reps. Brummer and Goode spoke in favor of the proposed amendment.

Amendment lost by vv.

Ordered to third reading by vv.

HB 307, defining a handicapped child. Ought to pass. Rep. Dunham for Education.

Ordered to third reading by vv.

HJR 27, to establish a temporary commission of the legislature to investigate teacher's salaries, unrest, militance and pressures. Inexpedient to legislate; subject matter covered by other legislation. Rep. Dunham for Education.

Rep. Richard Smith moved that the words "ought to pass" be substituted for the committee report, "inexpedient to legislate; subject matter covered by other legislation" and spoke in favor of the motion.

At the request of Rep. Smith, Rep. Stevenson answered a question.

Rep. Smith withdrew his motion.

Resolution adopted by vv.

HB 274, covering into the state personnel system certain non-academic employees of the University of New Hampshire and the state colleges. Inexpedient to legislate; subject matter covered by other legislation. Rep. Watson for Executive Departments and Administration.

Rep. Peter Murphy moved that HB 274 be made a special order of business for Wednesday next at 11:01 and spoke in favor of the motion.

Rep. Shirley Clark spoke against the motion, and explained the committee report.

(discussion ensued)

Motion lost by vv.

Committee resolution adopted by vv. (inexpedient)

HB 293, to provide additional retirement allowances to certain retired members of the policemen's retirement system. Ought to pass. Rep. Van Gardner for Executive Departments and Administration.

The Chair referred HB 293 to Appropriations under the Rules.

HB 277, establishing the position of liaison officer between conservation districts, and making an appropriation therefor. Ought to pass. Reps. O'Neil and Tirrell for Fish and Game.

The Chair referred HB 277 to Appropriations under the Rules.

HB 279, to provide payments for taxes lost on lands owned by the state for the use of the fish and game department. Inexpedient to legislate. Rep. Maynard for Fish and Game.

Resolution adopted by vv.

HB 177, abolishing sovereign immunity for claims up to twenty-five thousand dollars. Inexpedient to legislate. Rep. Palmer for Judiciary.

Rep. Zachos explained the resolution of the committee.

On motion of Rep. Angus, the remarks of Rep. Zachos are printed in the Journal as follows:

Mr. SPEAKER: Although the Judiciary Committee has reported HB 177, an act abolishing sovereign immunity for claims up to twenty-five thousand dollars, as Inexpedient to Legislate, I wish to indicate that there was general agreement among the committee members favoring in principle the abolition of the doctrine of sovereign immunity. However, the com-

mittee was faced with the very significant problem of not having or being able to gather any figures that would provide an indication as to the costs that might be incurred by the cities, towns and the state, either to secure adequate insurance, or to serve as self insurers were the bill passed. Faced with a realistic appraisal that the abolition of sovereign immunity might be prohibitively costly and further influenced by the knowledge that the Judicial council and the New Hampshire Bar Association were studying the question of sovereign immunity, the committee voted the bill Inexpedient to Legislate at this particular time.

Resolution of the committee adopted.

HB 191, relative to a court hearing after an arrest without a warrant. Ought to pass with amendment. Rep. Sayer for Judiciary.

#### AMENDMENT

Amend the title of said bill by striking out the same and inserting in place thereof the following:

#### An Act

relative to procedure after an arrest without warrant.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Law of Fresh Pursuit. Amend RSA 614:8 by striking out said section and inserting in place thereof the following: 614:8 Procedure. If such an arrest is made in obedience to a warrant, the disposition of the prisoner shall be as in other cases of arrest under a warrant; if the arrest is without a warrant, the prisoner shall without unnecessary delay be taken before a district court, municipal court, or a bail commissioner authorized to take bail and such court or bail commissioner shall admit such person to bail, if the offense is bailable, by taking security by way of recognizance of the appearance of such prisoner before the court having jurisdiction of such criminal offense.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

HB 261, relative to distribution of cards at polling places. Ought to pass with amendment. Rep. Carrier for Judiciary.

#### AMENDMENT

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Outside Building. Amend RSA 59:125 by inserting in line four after the word "matter" the following (nor shall any person hand to any voter within fifty feet of any entrance being used by the voters to enter the building where the election is being held any bill, card, or other printed or written matter) so that said section as amended shall read as follows: 59:125 Distribution of Cards, etc. No person as candidate for office or representing or working for a candidate shall, within the building where an election is being held, distribute or post any cards or other printed or written matter nor shall any person hand to any voter within fifty feet of any entrance being used by the voters to enter the building where the election is being held any bill, card, or other printed or written matter. Whoever violates any of the provisions of this section shall be fined not more than one hundred dollars.

\* \* \*

Rep. Healy moved that HB 261 be made a special order of business for 11:01 on Wednesday next and spoke in favor of the motion.

Motion adopted by vv.

HB 7, relative to compensation of senate and house clerk and assistant clerk and relative to indexes for journals and session laws. Ought to pass with amendment. Rep. Coggeshall for Legislative Revision.

#### AMENDMENT

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Compensation of Senate Clerk; Basic Rate. Amend RSA 14:19 (supp) as amended by 1955, 33:5 and 1961, 280:1 by striking out said section and inserting in place thereof the following: 14:19 Senate Clerk. The compensation of the clerk of the senate shall be set at a basic beginning rate of sixty dollars per day for



each day of attendance when the legislature is in session. The president of the senate may employ the senate clerk at the same rate per diem, plus additional increments elsewhere provided during the interim, including but not being limited to the period from the last Wednesday of December, or after each biennial election to the date of convening of the next regular session of the general court.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Compensation of House Clerk; Basic Rate. Amend RSA 14:20 (supp) as amended by 1961, 280:6 by striking out said section and inserting in place thereof the following: 14:20 House Clerk. The compensation of the clerk of the House shall be set at a basic beginning rate of sixty dollars per day for each day of attendance when the legislature is in session. The speaker of the house may employ the house clerk at the same rate per diem plus additional increments elsewhere provided during the interim, including but not being limited to the period from the last Wednesday of December or after each biennial election to the date of convening of the next regular session of the general court.

Amend section 3 of the bill by striking out the same and inserting in place thereof the following:

3 Compensation of Assistant Clerks. Amend RSA 14:21 (supp) as amended by 1955, 335:6; 1961, 280:7 and 1965, 1:1 by striking out the same and inserting in place thereof the following: 14:21 Assistant Clerks. The compensation of the assistant clerks of the senate and the house shall be set at a basic beginning rate of forty-five dollars per day for each day of attendance when the legislature is in session. The president of the senate or the speaker of the house, as the case may be, may employ the assistant clerk at the said per diem rate, plus additional increments elsewhere provided, during the interim, including but not being limited to the period from the last Wednesday of December or after each biennial election to the date of convening of the next regular session of the general court.

Amend section 4 of the bill by striking out in line seven the word "ten" and inserting in place thereof the word (five) so that said section as amended shall read as follows:

4 Longevity. Amend RSA 14 by inserting after section 21 the following new section: 14:21-a Additional Increments. Any clerk or assistant clerk of the senate or the house who has served in said office for more than one biennial session of the legislature shall receive, in addition to the per diem pay to which he is entitled under the provisions of this chapter, an additional increment of two dollars per day for each biennial session of such service provided that no more than five such increments shall be added to the basic rate.

Amend section 6 of the bill by striking out the same and inserting in place thereof the following:

6 Proceedings. Amend RSA 14:7 (supp) as amended by 1963, 74:1 by striking out said section and inserting in place thereof the following:

14:7 Journals of the Proceedings.

I. As soon as possible after every final adjournment of a session of the general court, and in any case consistently with the schedule of performance set forth in contracts for printing and binding of the journals of the general court, the clerk of the senate shall file with the printer of the daily journal, and with the secretary of state for the permanent journal, a copy of the proceedings of the senate in proper form for printing and corrected page proofs of each.

II. As soon as possible after every final adjournment of a session of the general court, and in any case consistently with the schedule of performance set forth in contracts for printing and binding of the journals of the general court, a special committee of the senate consisting of the president or the majority floor leader, the minority floor leader and the committee on the journal may authorize the clerk of the senate to correct clerical errors or formal imperfections in the permanent journal of the proceedings of the senate clearly identifying the same, however, before it is filed with the secretary of state.

III. As soon as possible after every final adjournment of a session of the general court, and in any case consistently with the schedule of performance set forth in contracts for printing and binding of the journals of the general court, the clerk of the house shall file with the printer of the daily journal and with the secretary of state, for the permanent journal, a copy

of the proceedings of the house in proper form for printing and corrected page proofs of each.

IV. As soon as possible after every final adjournment of a session of the general court, and in any case consistently with the schedule of performance set forth in contracts for printing and binding of the journals of the general court, a special committee of the house consisting of the speaker or the majority floor leader, the minority floor leader and the committee on the journal may authorize the clerk of the house to correct clerical errors or formal imperfections in the permanent journal of proceedings of the house clearly identifying the same, however, before it is filed with the secretary of state.

Amend section 7 of the bill by striking out the same and inserting in place thereof the following:

7 Session Laws. Amend RSA 20 by inserting after section 1-a (supp) as inserted by 1955, 23:1 a new section as follows: 20:1-b Index. As soon as possible after every final adjournment of a session of the general court and in any case consistently with the schedule of performance set forth in contracts for printing and binding of session laws and journals of the general court, the law librarian of the state library shall prepare and furnish the secretary of state with a complete index of the acts and resolves passed by the general court during the session.

Amend section 8 of the bill by striking out the same and inserting in place thereof the following:

8 Index. Amend RSA 20:3 by striking out in line six the word "Fifty" and inserting in place thereof the word (Twenty-five) and by striking out in lines nine and ten the words "The clerk of each house shall prepare an index of its journal." and inserting in place thereof the words (as soon as possible after every final adjournment of a session of the general court and in any case consistently with the schedule of performance set forth in contracts for printing and binding of session laws and journals of the general court, the law librarian of the state library shall prepare and furnish the secretary of state with complete indices of the journals of proceedings of the senate and of the house of representatives during the session.) so that said section as amended shall read as follows:

20:3 Journals. The clerks of the senate and house of representatives shall cause to be printed in pamphlet form at the

close of each legislative day twelve hundred copies of the journals of their respective bodies, and shall cause one copy of each to be distributed to each member of those bodies before the beginning of the session on the next legislative day. Twenty-five of such copies shall be delivered to the state library each day. At the close of the legislative session additional copies of such journals may be printed in such form and quantity as the secretary of state, with the approval of the governor and council, may direct. As soon as possible after every final adjournment of a session of the general court and in any case consistently with the schedule of performance set forth in contracts for printing and binding of session laws and journals of the general court, the law librarian of the state library shall prepare and furnish the secretary of state with complete indices of the journals of proceedings of the senate and of the house of representatives during the session.

Amend section 9 of the bill by striking out the same and inserting in place thereof the following:

9 Travel Allowance. Amend RSA 14:18 (supp) as amended in 1955, 132:1; 330:1 and 1965, 4:4 by inserting in line seven after the word "employees" the following (provided, however, that the provisions of this section shall not apply to clerks and assistant clerks of the senate and house of representatives.) so that said section as amended shall read as follows: 14:18 Travel Allowance to Officers and Employees. Any officer or employee of the senate or house of representatives shall be allowed mileage at the same rate as other state employees for each day of attendance up to a maximum of one hundred miles for the round trip. Any fractional part of a mile shall be deemed to be one mile for the purposes hereof. The committee on mileage shall be the arbiters of all disputes and claims involving payment of mileage to such officers and employees provided, however, that the provisions of this section shall not apply to clerks and assistant clerks of the senate and house of representatives.

Amend the bill by inserting after section 9 the following new section 10:

10 Effective Date. This act shall take effect January 1, 1969.

Amendment adopted by vv and the bill referred to Appropriations.

HB 236, relative to establishment of the state sanatorium as a geriatric facility and the transfer of tubercular patients. Ought to pass with amendment. Rep. Bernard for Public Health, Welfare and State Institutions.

### AMENDMENT

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Purpose of Act. The purpose of this act is to establish the state sanatorium as a geriatric facility under the jurisdiction of the division of public health and to transfer tuberculous patients at said sanatorium to hospitals or nursing homes.

Amend section 3 of the bill by striking out said section and inserting in place thereof the following:

3 State Sanatorium. Amend RSA 138 by inserting after section 5 the following new sections:

138:6 Geriatric Facility. The state sanatorium shall be established as a geriatric facility and patients from Laconia state school or the New Hampshire hospital may be transferred to said facility as provided by RSA 171:14-a.

138:7 Contracts. The commissioner of health and welfare is authorized to enter into contracts with a general hospital and a nursing home for the care and treatment of tuberculous patients. Said contracts shall contain the following provisions:

I. The medical supervision of transferred patients shall remain under a physician or physicians employed by the state.

II. Tuberculous patients in the hospital facility may be transferred to the nursing home facility when they have become quiescent and noninfectious.

III. Consultation requests to any of the general hospital staff physicians in the various medical specialties are authorized.

IV. Treatment of transferred patients by any of the general hospital medical or surgical specialists is authorized.

138:8 Transfer of Patients. On or after July 1, 1970, any tuberculous patient at the state sanatorium shall be as expedi-



tiously as possible transferred by the director of the division of public health of the department of health and welfare to a general hospital or nursing home so designated for the purpose of patient care and treatment by a majority vote of a committee composed of the director of the division of public health of the department of health and welfare, a member of the health and welfare advisory commission appointed by said commission who is a medical doctor, and the chairman of the committee on tuberculosis of the New Hampshire medical society.

Amend section 4 of the bill by striking out the same and inserting in place thereof the following:

4 Transfer of Funds and Vacant Positions. In order to provide for operation of the state sanatorium as a geriatric facility and the transfer of tuberculous patients to other facilities as provided in RSA 138:8, the commissioner of health and welfare, with the approval of the governor and council, may transfer funds from the budget for the New Hampshire hospital or the Laconia state school to the appropriation for the state sanatorium. The commissioner, with like approval, may transfer vacant positions between the state sanatorium and Laconia state school or New Hampshire hospital in order to provide for the change in operation of the facility. The commissioner may also, with like approval, transfer and reallocate a position or positions at the state sanatorium to provide for the medical supervision of the tuberculous patients.

\* \* \*

Amendment adopted by vv and the bill referred to Appropriations.

HB 154, relative to abandoned or neglected cemetery lots. Ought to pass with amendment. Rep. Hopkins for Statutory Revision.

#### AMENDMENT

Amend RSA 289:19, III as inserted by section 1 of the act by striking out the same and inserting in place thereof the following:

III. "Burial space" shall mean a lot in any cemetery as designed and intended for the interment of human bodies or of a human body, but not used for such purpose.



Amend 289:20, I as inserted by section 1 of the act by striking out the same and inserting in place thereof the following:

I. Whenever the owner of any burial space or spaces in any public cemetery subject to the provisions of this subdivision shall have failed and neglected for a period of twenty years or more to care for and maintain such space or spaces in accordance with the laws, rules and regulations relating thereto and providing for such care and maintenance, the board or other officials having jurisdiction over such cemetery may institute proceedings for the termination and forfeiture of the rights and interests of such owner.

\* \* \*

Rep. McMeekin moved that HB 154 be made a special order of business for 11:02 on Wednesday next and spoke in favor of the motion.

Motion adopted by vv.

HB 150, relative to lights on a motor vehicle. Ought to pass with amendment. Rep. George Manning for Transportation.

#### AMENDMENT

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Parking Lights Restricted. Amend RSA 263 by inserting after section 10, the following new section: 263:10-a Parking Lights. Any motor vehicle may be equipped with not more than two front parking lights which shall emit an amber or white light without glare, provided that no motor vehicle may display such lighted parking lights when lighted headlamps are required under section 10 while being operated on the public ways unless also displaying lighted headlamps as prescribed in section 10. This provision does not prohibit the use of parking lights on any motor vehicle while parking or standing.

2 Effective Date. This act shall take effect sixty days after its passage.

\* \* \*

Rep. Michels moved that HB 150 be indefinitely postponed and spoke in favor of the motion.

Rep. Morrill spoke against the motion.

(discussion ensued)

Rep. Williamson spoke in favor of the motion.

Reps. Goodrich and Raymond spoke against the motion.

Rep. Van Gardner spoke in favor of the motion.

Rep. A. George Manning spoke against the motion.

(discussion ensued)

Motion to indefinitely postpone was adopted by vv.

HB 315, relative to information to be furnished a purchaser of new motor vehicle tires. Inexpedient to legislate. Rep. D'Amante for Transportation.

Resolution adopted by vv.

HB 322, relative to inspection of motor vehicles. Rep. D'Amante for Transportation. Ought to pass.

Rep. Morrill explained the bill.

Ordered to third reading by vv.

Resolution to provide essential air navigation aids for New Hampshire airports. Rep. Coutermarsh for Transportation. Ought to pass.

Resolution adopted by vv.

HB 118, to transfer certain costs of the superior court from the counties to the state, and to impose a tax on cigarettes to finance a superior court fund. Inexpedient to legislate. Rep. Gelt for Ways and Means.

Resolution adopted by vv.

HB 260, reducing the tax on tobacco. Inexpedient to legislate. Rep. Maloomian for Ways and Means.

Resolution adopted by vv.

HB 242, to eliminate straight ticket voting. Majority: Inexpedient to legislate. Rep. Palmer for Judiciary.

Minority: Ought to pass. Reps. Andrews, Wallin and Carrier.

The reports were accepted.

Rep. Andrews moved that HB 242 be made a special order of business for 11:03 on Wednesday next and spoke in favor of the motion.

On a vv the Chair was in doubt and requested a division.

The division being manifestly in the affirmative, HB 242 was made a special order of business at 11:03 on Wednesday next.

\* \* \*

Rep. Trowbridge moved that the order whereby HB 302, relative to the definition of the term "house trailers", was referred to Public Works be vacated and the bill be referred to Transportation, and spoke in favor of the motion.

Motion adopted by vv.

\* \* \*

The Chair called for the special order on HB 124, covering into the state personnel system certain non-academic employees of the University of New Hampshire and the state colleges. Ought to pass with amendment.

(amendment printed in Journal of 3/5)

Rep. Morrill offered the following amendment to the committee amendment.

#### AMENDMENT

Amend the committee amendment by inserting after RSA 187:41 as inserted by section 1 of the bill the following new section:

187:42 Committee Members' Rights. Any of the members of the committees provided for by section 40 shall have, and shall be protected in the exercise of the right, freely and without fear of penalty and reprisal, to carry on their duties as members of said committee. The head of the institution of which any such member is an employee shall take such action, consistent with law, as may be required to assure that no interference, restraint, coercion or discrimination, is practiced within his institution to discourage or encourage any employee being

a member of any such committee, or to discourage or hinder the free exercise of such employee's rights as such committee member.

Rep. Morrill explained the amendment.

Rep. Shirley Clark spoke in favor of the amendment.

Rep. Morrill's amendment to the committee amendment was adopted by vv.

Rep. Peter Murphy offered the following amendment.

#### AMENDMENT

Amend the bill by striking out section 2 and inserting in place thereof the following new sections:

2 Minimum Compensation. Amend RSA 187:8 as amended by 1963, 303:6 by inserting after paragraph IX thereof the following new paragraph: X. The salary ranges of all personnel of the University of New Hampshire and Keene and Plymouth state colleges shall be no less than those prescribed for the grades of classified state service involving comparable work and duties, as provided by RSA 99 as now or hereafter amended, except that the provisions of this paragraph shall not be in effect after June 30, 1971.

3 Effective Date. This act shall take effect July 1, 1969.

\* \* \*

Rep. Murphy explained his amendment.

(discussion ensued)

Rep. Shirley Clark spoke against the amendment.

The amendment lost by vv.

The question now being on the committee amendment.

The committee amendment was adopted and the bill ordered to third reading by vv.

## SENATE MESSAGE

The Senate refuses to concur with the House of Representatives in the adoption of the Committee of Conference Report on the Joint Rules, and requests a new Committee of Conference; the President has appointed as members of said Committee of Conference on the part of the Senate, Sen. Gilman, Sen. Foley.

Rep. McMeekin moved that the House accede to the Senate request for a Committee of Conference.

Motion adopted by vv.

The Chair appointed Reps. Drake, McMeekin and Wallin as conferees on the part of the House.

## FURTHER SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution sent up from the House of Representatives:

HB 27, relative to the voluntary commitment of a person to New Hampshire Hospital.

HB 103, relative to radiation protection and control.

HB 104, relative to the time for transfer to the state of unclaimed racing ticket moneys.

HB 139, to change the name of the Laconia State School.

HJR 30, providing additional funds for the state treasurer's office.

## FURTHER SENATE MESSAGE

The Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 147, relative to the larceny of deer.

## AMENDMENT

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Larceny of deer or bear. Amend RSA 208 by inserting after section 9 (supp) the following new section: 208:9-a Larceny of Deer or Bear. Any person who shall steal, take and carry away a deer, bear or any part thereof, of another without permission shall be fined not more than three hundred dollars nor imprisoned more than six months or both.

\* \* \*

On motion of Rep. Robert Drew the House concurred in the Senate amendment.

### FURTHER SENATE MESSAGE

The Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 160, relative to expiration date for trapping licenses and required report of yearly catch.

### AMENDMENT

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Continuity of License. Any license to trap fur-bearing animals issued for the period beginning January 1, 1970 shall be valid until June 30, 1971.

Further, amend the bill by renumbering section 2 to read section 3.

On motion of Robert Drew the House nonconcurred in the Senate amendment and requested a committee of conference.

The Chair appointed Reps. Hayes, Hunt and Chamberlin as conferees on the part of the House.

### RESOLUTIONS

Rep. Kenneth Spalding of Amherst introduced the following resolutions.



## RESOLUTIONS

*Whereas*, we have learned with regret of the death of Barbara Hinds of Pelham, who was known to many for her interest in public and civic affairs, therefore be it,

*Resolved*, that we, the members of the House of Representatives in General Court convened, do hereby extend our sympathy to the family of Mrs. Hinds, and be it further

*Resolved*, that a copy of these resolutions be transmitted to her family.

\* \* \*

Resolutions adopted by vv.

On motion of Rep. Stafford the House adjourned from the early session and the Rules of the House were so far suspended as to permit reading of bills by title only, and that when the House adjourns today it be to meet Wednesday next at 11:00 o'clock.

## LATE SESSION

## THIRD READINGS

The following House Bills were read a third time, passed, and sent to the Senate for concurrence.

HB 343, relative to the burden of proof in actions for a declaratory judgment concerning insurance coverage.

HB 219, enacting the Interstate Agreement on Qualification of Educational Personnel.

HB 220, relative to power of McIntosh College, Inc. to grant degrees.

HB 297, relative to general housekeeping changes in the laws concerning the state board of education.

HB 298, relative to procedure of annexation of a school district to a cooperative school district.

HB 299, relative to general changes in the statutes concerning school districts.

HB 307, defining a handicapped child.

HB 191, relative to procedure after an arrest without a warrant.

HB 322, relative to inspection of motor vehicles.

HB 124, establishing a coordinating committee of non-academic employees at the University of New Hampshire to discuss grievances with the president.

\* \* \*

SENATE MESSAGE, INTRODUCTION OF SENATE  
BILLS AND REFERRAL AS FOLLOWS:

The Senate has passed the following entitled bills in the passage of which it asks the concurrence of the House of Representatives:

SB 57, relative to city bond issuing procedures. Municipal and County Government.

SB 29, creating a commission to study approved non-public school problems in the state. Education.

\* \* \*

On motion of Rep. Dunham the House adjourned at 2:18 P.M.

---

*Wednesday, March 12, 1969*

The House met at 11:00 o'clock.

(Speaker in the Chair)

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

O God, Creator and Ruler of the Universe, by the wonders of Thy creation stir our minds to wonder. Open our eyes to see, our ears to hear, and our hearts to understand. By the observation of Thy ways we turn again to Thee, our hearts to be healed, and our souls to be lifted to high intentions of service. Help us to be the good soil for the seed of truth, bringing forth the har-

vest of just legislation. Let not the cares of our environment nor the position of trust we hold prevent us from acting responsibly in our deliberations. Enable us to remain true to the dream of our forefathers, to build an equitable society based on law and order. Empower the Members of this Joint Convention with Thy Grace and Wisdom, ever grateful for Thy Divine Presence, O Loving Father. Amen.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Gilman led the House in the Pledge of Allegiance to the Flag.

### LEAVES OF ABSENCE

Reps. Arthur F. Mann and Tarbell were granted leave of absence for the day on account of illness.

Rep. LaTour was granted leave of absence for a week on account of illness.

Rep. Mackintosh was granted leave of absence for the day on account of important business.

### INTRODUCTION OF BILLS

The following bill was read a first and second time, laid on the table for printing and referred as follows:

HB 467, relative to town appropriations for mass transportation service. (Zachos of Hillsboro Dist. 27, Raiche of Hillsboro Dist. 34 — To Transportation.)

(Rep. Trowbridge in the Chair)

### COMMITTEE REPORTS

HB 288, requiring certain milk containers to be dated. Rep. Underwood for Agriculture. Inexpedient to legislate.

Resolution adopted by vv.

SB 50, to prohibit the killing of seals, was withdrawn by committee.

HB 179, for additional reimbursement to institutions and nursing homes for cost of care of certain welfare programs. Rep. Bernard for Public Health, Welfare and State Institutions. Ought to pass with amendment.

## AMENDMENT

Amend the title of the bill by striking out the same and inserting in place thereof the following:

## AN ACT

for additional reimbursement to nursing homes for cost of care of certain welfare programs.

Amend the bill by striking out everything after the enacting clause and inserting in place thereof the following:

1 Nursing Homes. Notwithstanding any other provision of law, the welfare division of the health and welfare department shall reimburse all nursing homes for care of recipients of the following: old age assistance, aid to the permanently and totally disabled and alien aid. Such reimbursements shall be in an amount equal to the exact cost of such recipients to such nursing homes provided such nursing homes can substantiate their actual cost as required by the department of health and welfare and that such nursing homes shall have been classified as a nursing home by the division of public health. The payments under this act shall be in lieu of payments to such nursing homes by other provisions of law.

2 Appropriation. For the purpose of providing funds for the payments under section 1 there is hereby appropriated the sum of four hundred fifty thousand dollars for the fiscal year ending June 30, 1971. The governor is authorized to draw his warrants for said sums out of any money in the treasury not otherwise appropriated.

3 Effective Date. This act shall take effect July 1, 1970.

\* \* \*

Rep. Cleon Heald explained the amendment.

The following spoke against the amendment and in favor of the bill. Reps. Palmer, Shirley Clark, McMeekin, Greene, Morrill, Brungot and O'Neil.

Amendment lost by vv.

The Chair referred HB 179 to Appropriations under the Rules.

## ENGROSSED BILLS COMMITTEE REPORT

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bills, House Joint Resolutions and Senate Bill:

HB 19, An Act providing that certain holidays be observed on Mondays each year.

HB 20, An Act specifically including certain construction materials in the class of "merchandise" to be weighed by a public weigher.

HB 27, An Act relative to the voluntary commitment of a person to New Hampshire Hospital.

HB 52, An Act relative to removal of bob houses from public and private property.

HB 57, An Act relating to judicial referees.

HB 73, An Act relative to filling vacancies in the house of representatives in multi-town districts.

HB 97, An Act legalizing the annual meeting of the town of North Hampton, March 12, 1968.

HB 103, An Act relative to radiation protection and control.

HB 104, An Act relative to the time for transfer to the state of unclaimed racing ticket moneys.

HB 129, An Act relative to the formation of non-profit corporations for mental health programs.

HB 139, An Act to change the name of the Laconia State School.

HB 155, An Act relative to power of director of fish and game in removing nuisance animals, birds and fish.

HB 180, An Act empowering the governor and council to establish the fees for the copies of records on certain rehearing and appeals under the personnel system.

HB 226, An Act to provide for the pre-filing of bills with the director of legislative services.

HB 230, An Act correcting certain technical errors in the chapter on taxes on transfer of real property.

HB 256, An Act making an appropriation for the cost of moving and paying rental of state departments to make space available for the 1969 General Court.

HB 270, An Act permitting cities and towns to provide ambulance service.

HJR 25, Joint Resolution making an additional appropriation for fiscal 1969 to continue printing of the market bulletin.

HJR 30, Joint Resolution providing additional funds for the state treasurer's office.

SB 42, An Act relative to the expiration date of snowmobile registrations.

Roxie A. Forbes  
for the Committee

### COMMUNICATION

Hon. Marshall Cobleigh, Speaker  
House of Representatives  
Concord, N. H.

Dear Mr. Speaker:

On behalf of myself and family our sincere thanks for your kind expression of appreciation extended to me by you and the Members of the House, honoring me by unanimously adopting the resolution introduced by Rep. Morrill on behalf of the Salem Delegation, Thursday, Feb. 27, 1969.

Leonard B. Peever

\* \* \*

### QUALIFIED

Rep. Harold V. Buker of Merrimack appeared before Governor Peterson and was sworn in as Representative from Merrimack, District 25. He is assigned to the Committee on Transportation and to seat 4-62.

\* \* \*

### COMMITTEE REPORTS CONTINUED

HB 284, authorizing a study of the interrelationship of state and local governments in the administration of welfare



and making an appropriation therefor. Rep. Carl Foster for Public Health, Welfare and State Institutions. Inexpedient to legislate.

Resolution adopted by vv.

HB 362, relative to fair hearings in programs of the division of welfare. Rep. Donald K. Howard for Public Health, Welfare and State Institutions. Ought to pass.

Ordered to third reading by vv.

HB 14, to prohibit certain promotional games. Rep. Burleigh for Statutory Revision. Inexpedient to legislate.

Rep. Maloomian moved that the words "ought to pass" be substituted for the committee report, "inexpedient to legislate" and spoke in favor of the motion.

Reps. Burleigh and Shirley spoke against the motion.

Rep. Andersen spoke in favor of the motion.

(discussion ensued)

Reps. Buckman and McMeekin spoke against the motion.

Rep. Stafford spoke in favor of the motion.

(discussion ensued)

Rep. Hayes spoke in favor of the motion.

Rep. Bowles moved that HB 14 be recommitted to Statutory Revision and spoke in favor of the motion.

(discussion ensued)

Reps. Oleson and Stevenson spoke in favor of the motion.

(discussion ensued)

Motion adopted by vv.

HB 359, authorizing a study of abandoned railroad rights of way for public recreational use, and making an appropriation therefor. Rep. Coggeshall for Statutory Revision. Ought to pass.

The Chair referred HB 359 to Appropriations under the Rules.

HJR 53, in favor of the New Hampshire Historical Society.  
Rep. Horan for Statutory Revision. Ought to pass.

At the request of Rep. MacDonald, Rep. McMeekin explained the resolution.

Referred to Appropriations under the Rules.

### SPECIAL ORDER

Rep. Healy called for the Special Order on HB 261, relative to distribution of cards at polling places.

Rep. Healy moved that HB 261 be indefinitely postponed and spoke in favor of the motion.

(discussion ensued)

Reps. Carrier, LaFrance, Cochran and Zachos spoke against the motion.

Reps. MacDonald and Betley spoke in favor of the motion.

(discussion ensued)

Rep. Richardson spoke in favor of the motion.

Rep. Wilfred Boisvert moved the previous question and it was sufficiently seconded.

The question being, shall the main question now be put.

Motion adopted by vv.

The question now being shall HB 261 be indefinitely postponed.

On a vv the Chair was in doubt and requested a division.

The vote being manifestly in the affirmative the motion to indefinitely postpone prevailed.

### SPECIAL ORDER

Rep. McMeekin called for the Special Order on HB 154, relative to abandoned or neglected cemetery lots.

Rep. McMeekin moved that HB 154 be recommitted to the Statutory Revision committee and spoke in favor of the motion.

Motion adopted by vv.

## SPECIAL ORDER

Rep. Andrews called for the Special Order on HB 242, to eliminate straight ticket voting. Majority: Inexpedient to legislate; Minority: Ought to pass.

The question being on the adoption of the majority report.

Rep. Andrews moved that the Minority report: "ought to pass" be substituted for the Majority report: "Inexpedient to legislate" and spoke in favor of the motion.

Rep. Palmer spoke against the motion.

(Rep. O'Neil in the Chair)

Rep. Coggeshall spoke in favor of the motion.

(Rep. Trowbridge in the Chair)

(discussion ensued)

Rep. Wallin spoke in favor of the motion.

Reps. Brungot and Zachos spoke against the motion.

(discussion ensued)

Rep. Vachon moved that HB 242 be indefinitely postponed.

Reps. Lawton, Eastman, Healy and Griffin spoke in favor of the motion.

Reps. Bowles and Michels spoke against the motion.

(discussion ensued)

Rep. Maloomian spoke in favor of the motion.

Rep. Merrill moved the previous question and it was sufficiently seconded.

The question being, shall the main question now be put.

Motion adopted by vv.

The question now being on the motion that HB 242 be indefinitely postponed.

Motion adopted by vv.

The Chair called for HB 26, authorizing the establishment of professional associations and HB 111, relative to actions against hospitals, under Rule 56.

### EXTENSION OF TIME

Rep. Zachos moved that the House grant HB 26, authorizing the establishment of professional associations, and HB 111, relative to actions against hospitals, a six day extension as provided under House Rule 56.

Rep. Stafford spoke in favor of the motion.

The Chair granted the six day extension.

### COMMITTEE REFERENCE

On motion of Rep. Cleon Heald the order whereby HB 458, establishing the position of rehabilitation counselor I, was referred to Public Health, Welfare & State Institutions was vacated and the bill referred to Labor, Human Resources and Rehabilitation.

### COMMITTEE REFERENCE

On motion of Rep. Roger Smith the order whereby HB 424, providing cost of living retirement allowances for police and firefighters who shall have retired prior to July 1, 1961, and making an appropriation therefor; HB 425, providing cost of living retirement allowances for police and firefighters who shall have retired subsequent to July 1, 1969 and prior to January 1, 1968, and making an appropriation therefor; and HB 426, providing cost of living retirement allowances for police and firefighters who shall have retired subsequent to January 1, 1968 and prior to December 31, 1969 and making an appropriation therefor, were referred to Appropriations was vacated and the bills were referred to Executive Departments and Administration.

### CONCURRENT RESOLUTION NO. 10

Rep. Sawyer offered the following Concurrent Resolution:

*Whereas*, the New Hampshire American Legion is, with the national American Legion currently observing the fiftieth anniversary of its inception in 1919; and

*Whereas*, the New Hampshire American Legion has, during the past fifty years, been a responsible contributor to citizen thought and deed during the years of our Nation's emergence as a world power; and

*Whereas*, American Legion history of the past fifty years is filled with achievements in behalf of mankind through active, continuous campaigns to preserve the lofty concepts of Justice, Freedom, and Democracy; and

*Whereas*, in this, the Golden Year of The American Legion, the organization is addressing itself to charting anew its course of service to a changing community, State, and Nation; and

*Whereas*, the New Hampshire American Legion is dedicated, with the national organization to forging the future of a strong, vigorous, compassionate America in the next half century;

*Now, Therefore be it Resolved by the House of Representatives of the State of New Hampshire, The Senate Concurring;*

That the one hundred and forty first General Court of the State of New Hampshire recognizes the contribution which The American Legion has made and continues to make to our State and congratulates the New Hampshire American Legion, its National Organization and each of its members upon the Golden Anniversary of their organization; and

*Be it Further Resolved* that copies of this resolution be forwarded to the National Headquarters of the American Legion and to the New Hampshire State Headquarters of The American Legion.

The Clerk read the Resolution in full.

Resolution adopted by vv.

#### SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

HB 256, making an appropriation for the cost of moving

and paying rental of state departments to make space available for the 1969 General Court.

### SENATE MESSAGE

#### SENATE CONCURRENT RESOLUTION NO. 3

*Resolved by the Senate*, the House of Representatives concurring, of the state of New Hampshire in General Court convened:

That the joint rules committee shall plan, arrange and supervise a suitable legislative observance of the sesquicentennial of the opening of the State House which occurred on June 2, 1819.

Referred to Legislative Revision.

#### FURTHER SENATE MESSAGE, INTRODUCTION OF SENATE BILLS AND REFERRAL TO COMMITTEE

The following Senate Bills were read a first and second time and referred as follows:

SB 25, relative to the reduction of minimum term of prisoners for donation of blood. To Statutory Revision.

SB 82, permitting James G. Small to become a member of the New Hampshire Retirement System. To Executive Departments and Administration.

SB 107, relative to the Governor's Commission on Crime and Delinquency. To Labor.

On motion of Rep. Stafford the House adjourned from the early session and the Rules of the House were so far suspended as to permit reading of a bill by title only, and when the House adjourns today it be to meet tomorrow at 11:00 o'clock.

### LATE SESSION THIRD READINGS

HB 362, relative to fair hearings in programs of the division of welfare, was read a third time, passed, and sent to the Senate for concurrence.



On motion of Rep. Morrison the House adjourned at 2:25 P.M.

---

*Thursday, March 13, 1969*

The House met at 11:00 o'clock.

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

"Blessed are the poor in spirit, for theirs is the kingdom of heaven." (St. Matthew 5:3)

ALMIGHTY GOD, as our troubled world seeks peace amid the conflicting ideologies of men, we lift our hearts and voices to Thee, searching for that peace which is beyond our understanding and yet offers us the greatest happiness. How happy, O LORD, are those who are humble-minded, who are not self-satisfied or wrapped up in themselves, but ever looking upward and advancing forward in their quest for meaningful living through unselfish service. So guide the Members of this Joint Convention to be humble in Thy Presence and ready to accept the challenging needs that confront us daily. May we abide in Thy Truth and discover that perfect peace that comes from being humble servants and faithful stewards, dedicated in mission and directed in purpose, being more loving than loved for serving Thee. Amen.

PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Dorley led the House in the Pledge of Allegiance to the Flag.

LEAVES OF ABSENCE

Rep. Dumais was granted leave of absence for today and tomorrow on account of illness.

RESOLUTION

Rep. McMeekin offered the following resolution:

*Resolved*, that in accordance with the list in the possession of the clerk, House Bills numbered 468 through 473 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.

### INTRODUCTION OF BILLS

The following bills were read a first and second time, laid on the table for printing, and referred as follows:

HB 468, relative to compliance with the classification requirements in the Pemigewasset River watershed. (Urie of Belknap Dist. 1, McGee of Grafton Dist. 3, Buckman of Grafton Dist. 17 — To Resources, Recreation & Development.)

HB 469, licensing insurance claims adjusters. (Roberts of Belknap Dist. 6 — To Banks & Insurance.)

HB 470, to amend the charters of Strafford Savings Bank and Cheshire County Savings Bank. (Leighton of Strafford Dist. 16 — To Banks & Insurance.)

HB 471, relative to taking pheasants and increasing the number to be taken in one open season. (Stafford of Belknap Dist. 12 — To Fish & Game.)

HB 472, providing for a recount of votes on a sweepstakes question. (Hanson of Merrimack Dist. 6 — To Municipal & County Government.)

HB 473, establishing the Bristol district court. (Hopkins of Grafton Dist. 16, & Manson B. Smith of Grafton Dist. 10 — To Constitutional Revision.)

### COMMITTEE REPORTS

HB 304, relative to the amount of real estate loan and investments of building and loan associations and cooperative banks. Ought to pass. Rep. Cheney for Banks and Insurance.

Ordered to third reading by vv.

HB 240, to provide for absentee voting in primary elections. Inexpedient to legislate; subject matter covered by other legislation. Rep. Aucella for Constitutional Revision.

Rep. Logan moved that HB 240 be laid on the table.

Motion adopted by vv.

CA-CR 10, proposing constitutional amendments relating to the Legislature's Power to tax. Inexpedient to legislate; subject matter covered by other legislation. Rep. Aucella for Constitutional Revision.

Resolution adopted by vv.

SB 16, relative to registration as an independent. Ought to pass. Rep. Russell C. Chase for Constitutional Revision.

Rep. Chase explained the committee report.

Rep. Lawton moved that SB 16 be indefinitely postponed and spoke in favor of the motion.

(discussion ensued)

Reps. Elmer Johnson, Murray and Carmen spoke in favor of the motion.

Reps. Raiche, Williamson, Radway and Hussey spoke against the motion.

Rep. Maloomian moved the previous question and it was sufficiently seconded.

Motion adopted by vv.

Rep. Raiche requested a division.

### PARLIAMENTARY INQUIRY

Rep. MacDonald rose on a point of parliamentary inquiry.

The question now being on the motion that SB 16 be indefinitely postponed.

215 members having voted in the affirmative and 85 in the negative the motion to indefinitely postpone prevailed.

### PARLIAMENTARY INQUIRY

Rep. Williamson rose on a point of parliamentary inquiry.

The chair stated that a specific rule take precedence over a general rule; Rule 56 allows 12 days for hearings and 15 days for report; but Rule 57 takes precedence.

The Chair read House Rule 57 and instructed the Clerk to print it in the Journal.

57. Any standing committee other than the Appropriations Committee to whom a bill or resolution containing an appropriation has been referred shall report such bill or resolution to the floor of the House by April first or earlier.

### COMMITTEE REPORTS CONTINUED

HB 348, to amend the charter of Kimball Union Academy. Ought to pass. Rep. Dunham for Education.

Ordered to third reading by vv.

HB 204, relative to justifiable and non-commercial private dissemination of obscene matter. Ought to pass with amendment. Rep. Theriault for Judiciary.

### AMENDMENT

Amend section 1 of the bill by striking out in line four the word "actor" and inserting in place thereof the word (accused) who are not under eighteen years of age, so that said section shall read as follows:

1 Justifiable and Non-commercial Dissemination. Amend RSA 571-A:3 (b) (supp) as inserted by 1965, 146:1 by striking out said subparagraph and inserting in place thereof the following: (b) non-commercial dissemination to personal associates of the accused who are not under eighteen years of age.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

HB 282, relative to the posting of land against use by snow vehicles. Ought to pass with amendment. Rep. Frizzell for Judiciary.

### AMENDMENT

Amend section 1 of the bill by striking out in lines four and five the words "and whoever without right enters such land posted as provided in section 16" and inserting in place thereof the following (Such posting shall be as provided in section 16)

and by inserting in line six after the word "PROHIBITED" the following (Whoever without right enters such land that has been so posted) so that said section as amended shall read as follows:

1 Snow Traveling Vehicles. Amend RSA 572 by inserting after section 15-a (supp) the following new section: 572:15-b Penalty, Snow Traveling Vehicles. An owner may post all or any portion of his land against use by snow traveling vehicles as defined in RSA 262:46, II. Such posting shall be as provided in section 16, except that such notices shall read "SNOW TRAVELING VEHICLES PROHIBITED." Whoever without right enters such land that has been so posted shall be guilty of a misdemeanor and if convicted, shall be fined not more than fifty dollars. Provided, however, that failure of an owner to post his land as provided in this section shall not be construed as granting any license to users of snow traveling vehicles to enter said premises, nor shall said failure be construed as implying any duty of care to the user of a snow traveling vehicle by the owner.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

HB 317, relative to publication of the names of delinquent children who have committed a second offense. Inexpedient to legislate. Rep. Brummer for Judiciary.

Resolution adopted by vv.

HB 342, relative to the credibility of a witness who has been convicted for a crime. Ought to pass. Rep. Healey for Judiciary.

At the request of Rep. Mackintosh, Rep. Healy explained the bill.

(discussion ensued)

Ordered to third reading by vv.

HB 327, relative to toll-free use of certain New Hampshire highways by members of the general court. Ought to pass with amendment. Rep. Michels for Legislative Revision.

## AMENDMENT

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Eastern New Hampshire Turnpike. Amend RSA 256 by inserting after section 8-a as inserted by 1963, 97:3 the following new section: 256:8-b Exemption from Tolls. Upon proper identification by legislative license plate any elected member of the general court during his term of office shall be granted toll-free use of any section of the eastern New Hampshire turnpike on days the legislature meets.

2 Central New Hampshire Turnpike. Amend RSA 257 by inserting after section 7 the following new section: 257:7-a Exemption from Tolls. Upon proper identification by legislative license plate any elected member of the general court during his term of office shall be granted toll-free use of any section of the central New Hampshire turnpike on days the legislature meets.

3 Effective Date. This act shall take effect upon passage.

\* \* \*

Rep. Raiche spoke against the amendment and in favor of the bill.

Rep. Michels spoke in favor of the amendment.

(discussion ensued)

Rep. Morrill spoke in favor of the bill.

Rep. Mackintosh explained the committee amendment.

(discussion ensued)

Rep. Sherman moved the previous question and it was sufficiently seconded.

The question being on the amendment as offered by the committee.

Amendment lost by vv.

Ordered to third reading by vv.

HCR 6, regarding Federal pay raises. Inexpedient to legislate. Rep. Mackintosh for Legislative Revision.



Rep. Elmer Johnson moved that the words "ought to pass" be substituted for the committee report "inexpedient to legislate" and spoke in favor of the motion.

Rep. Johnson read HCR 6 in full.

(Rep. Trowbridge in the Chair)

Rep. Mackintosh explained the position of the committee.

(discussion ensued)

Rep. Stafford spoke in favor of the committee resolution.

Reps. Coburn and Maloomian spoke in favor of the motion.

Rep. James Allen spoke against the motion.

Rep. Bednar spoke in favor of the motion.

(discussion ensued)

Rep. Coggeshall moved the previous question and it was sufficiently seconded.

Motion adopted by vv.

The question being on the motion to substitute the words "ought to pass" for the committee report "inexpedient to legislate".

The Yeas appeared to have it.

A division was requested.

129 members having voted in the affirmative and 143 in the negative the motion to substitute lost.

Resolution adopted by vv.

## RECONSIDERATION

Rep. Merrill, having voted with the majority, moved that the House reconsider its action whereby it ordered HB 327 to a third reading and spoke in favor of the motion.

Motion adopted by vv.

Rep. Merrill offered the following amendment.

## AMENDMENT

Amend HB 327 by adding at the end thereof the following:

This Act shall take effect on its passage.

\* \* \*

The Clerk read the amendment in full.

Amendment adopted by vv.

Ordered to third reading by vv.

## COMMITTEE REPORTS CONTINUED

HB 390, relative to hazardous and dilapidated buildings. Inexpedient to legislate. Rep. Hanson for Municipal and County Government.

Rep. Wallin moved that the words "ought to pass" be substituted for the committee report "inexpedient to legislate" and spoke in favor of the motion.

Rep. Hanson explained the committee report and spoke against the motion.

Reps. Senter, Brungot and Brummer spoke against the motion.

(discussion ensued)

Motion lost by vv.

Resolution adopted by vv.

## SENATE MESSAGE

Introduction of Senate Bills & Referral as follows:

The Senate has passed the following entitled bills in the passage of which it asks the concurrence of the House of Representatives:

SB 113, increasing the appropriation for the repairing of Ashland Dam. To Appropriations.

SB 114, relative to the 1969 appropriation for the Division of Parks. To Appropriations.

Rep. Roger Smith moved that the Rules of the House be so far suspended as to permit the Appropriations Committee to

hold a public hearing on SBs 113 and 114 without the two days' notice in the Journal and spoke in favor of the motion.

Motion adopted by vv.

### COMMITTEE REPORTS CONTINUED

HB 311, relative to the central New Hampshire turnpike, and making an appropriation therefor. Ought to pass. Rep. Alice Davis for Public Works.

Referred to Appropriations under the Rules.

HB 321, relative to the Neil R. Underwood sinking fund. Ought to pass. Rep. Cummings for Public Works.

Referred to Appropriations under the Rules.

HB 313, classifying a certain portion of old route 77 in Hopkinton-Everett flood area as a recreational area. Ought to pass with amendment.

### AMENDMENT

Amend the title of the bill by striking out the same and inserting in place thereof the following:

### AN ACT

classifying a certain portion of old route 77 in Hopkinton-Everett flood area as a class III recreational highway.

Amend section 1 of the bill by striking out in line five the words "other than highway funds" and inserting in place thereof the words (Federal Funds) so that said section as amended shall read as follows:

1 Recreational Road. Amend RSA 231:6-a (supp) by inserting after paragraph IV as inserted by 1967, 424:1 the following new paragraph: V. The section of old route 77 in the Hopkinton-Everett flood control area after it has been reconstructed satisfactory to the department of public works and highways with Federal Funds.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

HB 370, to increase the license fee for hawkers and peddlers. Inexpedient to legislate. Rep. Keefe for Statutory Revision.

Resolution adopted by vv.

\* \* \*

The Chair called for HB 224, providing for the classification of Lake Sunapee, under Rule 56.

Rep. Claflin requested that the Resources, Recreation and Development committee be granted a six day extension and further requested the committee be given permission to hold a public hearing outside of Concord.

The Chair granted the extension and permission to hold a public hearing outside of Concord.

The Chair called for HB 225, providing for the acquisition of a certain dam and water rights on North River Pond in the town of Nottingham and making appropriation for the repair thereof. Ought to pass with amendment. Rep. Claflin for Resources, Recreation & Development.

#### AMENDMENT

Amend section 2 of the bill by striking out said section and inserting in place thereof the following:

2 Additional Fee. Amend RSA 270:5 (supp) as amended by 1959, 53:2 and 1967, 360 by inserting after paragraph VI the following new paragraph: VII. Additional Registration Fees. There shall be paid to said director in addition to the fees required by paragraphs III and IV an additional fee of fifty cents for each registration required by said paragraphs. The director of the division of motor vehicles shall pay over said additional fees to the water resources board for the repair and maintenance of all dams under the jurisdiction of said board.

Amend section 3 of the bill by striking out said section and inserting in place thereof the following:

3 Effective Date. This act shall take effect upon its passage.

\* \* \*

The Clerk read the amendment in full.

Rep. Claffin spoke in favor of the amendment.

Amendment adopted and the bill was ordered to a third reading by vv.

### PERSONAL PRIVILEGE

Rep. Raiche rose on a point of personal privilege.

\* \* \*

Rep. O'Neil moved that HB 240, to provide for absentee voting in primary elections, be taken from the table.

Motion adopted by vv.

HB 240, to provide for absentee voting in primary elections. Inexpedient to legislate; subject matter covered by other legislation. Rep. Aucella for Constitutional Revision.

Resolution adopted by vv.

The member from Concord, Mr. Newell, Merrimack No. 26, proposed the following new rule of the House of Representatives relative to reports of committees of conference:

59. Each report of a committee of conference on a money bill, a capital improvement bill or a bill making appropriations for expenses of certain departments of the state shall be printed, given to each member by the clerk, laid upon the table and placed upon the calendar as a special order of business at a time not sooner than twenty-four hours after printed copies of said report have been given to the members.

The Clerk read the proposed rule in full.

The member from Concord, Mr. Newell, moved that the proposed rule be printed in the Journal of today.

Referred to Rules committee.

### SENATE MESSAGE

The Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill:

HB 160, relative to expiration date for trapping licenses and required report of yearly catch.

and the President has appointed as members of said Committee on the part of the Senate: Senator Mason, Senator Bourque.

#### FURTHER SENATE MESSAGE

The Senate refuses to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

HB 276, relative to the power of Franconia College to grant degrees.

#### FURTHER SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 237, authorizing Pierce College for Women to grant degrees.

#### FURTHER SENATE MESSAGE, INTRODUCTION OF SENATE BILLS AND REFERRAL AS FOLLOWS:

The Senate has passed the following entitled bills, in the passage of which it asks the concurrence of the House of Representatives:

SB 38, to make it unlawful to require a fee other than the insurance premium on the substitution of one insurance policy for another as security on a loan. Banks & Insurance.

SB 47, relative to foreign partnerships. Statutory Revision.

SB 72, to qualify the small business administration to be an organizing or participating lender under cooperative banks and building and loan association statutes. Banks & Insurance.

#### RESOLUTIONS

Rep. LaPlante for the Nashua Delegation offered the following resolutions.

#### RESOLUTIONS

*Whereas*, we have learned with sorrow of the death of Christus M. Nikitas, former Representative from Nashua, and



*Whereas*, Mr. Nikitas served faithfully the needs of his state and community, and also served in the 20th Air Force and saw service in the Pacific Theatre in World War II, where he was shot down on a mission and was a Japanese prisoner of war, therefore be it

*Resolved*, that we, the members of the House of Representatives in General Court convened, do hereby extend our sympathy to the family of Mr. Nikitas, and be it further

*Resolved*, that a copy of these resolutions be transmitted to Mrs. Nikitas.

\* \* \*

Resolutions adopted by vv.

### COMMITTEE RESIGNATION

Representative Lucien Levesque has resigned from the Committee on Statutory Revision, and his resignation has been accepted by the Speaker.

Marshall Cobleigh  
Speaker

On motion of Rep. Stafford the House adjourned from the early session and the Rules of the House were so far suspended as to permit the reading of bills by title only, and that when the House adjourns today it be in honor of Apollo 9's astronauts, McDivitt, Scott and Schweickart, and to meet tomorrow at 11:00 o'clock.

### LATE SESSION THIRD READINGS

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 304, relative to the amount of real estate loan and investments of building and loan associations and cooperative banks.

HB 348, to amend the charter of Kimball Union Academy.

HB 204, relative to justifiable and non-commercial private dissemination of obscene matter.

HB 282, relative to the posting of land against use by snow vehicles.

HB 342, relative to the credibility of a witness who has been convicted for a crime.

HB 327, relative to toll-free use of certain New Hampshire highways by members of the general court.

HB 313, classifying a certain portion of old route 77 in Hopkinton-Everett flood area as a class III recreational highway.

HB 225, providing for the acquisition of a certain dam and water rights on North River Pond in the town of Nottingham and making appropriation for the repair thereof.

\* \* \*

On motion of Rep. Daloz the House adjourned at 2:45 p.m. in honor of the Apollo 9's Astronauts.

---

*Friday, March 14, 1969*

The House met at 11:00 o'clock.

#### SENATE MESSAGE

The Senate has voted to meet with the House of Representatives at 11 a.m. Friday, March 14, 1969 to hear Governor Peterson's Capital Budget Message.

#### JOINT CONVENTION

(Rep. Logan in the Chair)

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

“Blessed are they that mourn, for they shall be comforted.”  
(Matthew 5:4)

MOST MERCIFUL and LOVING FATHER, Thou who has comforted the hearts of those afflicted with life's sorrows, healing the brokenhearted, and renewing weakened faith — through our concern and compassion we accept Thy challenge to share with Thee the burden of love and the ministry of comfort. Enable us to lift the weight of injustice, the rod of oppression; to correct the errors, the oversights of the past; to establish a better way in life, abiding in Thy Truth; and deliver us from self-interest that would bar Thy work in our troubled world. So guide and direct the Members of this Joint Convention in righteous action, motivated by the highest standards of liberty and freedom, void of apathy and complacency, being responsible in service. Lift our hearts and lives from the valley of shadows unto the mountaintop of Thy Presence, to dwell with Thee in Peace. Amen.

#### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Cate led the Convention in the Pledge of Allegiance to the Flag.

The Chair introduced His Excellency Governor Peterson who presented his capital budget message as follows:

Mr. Speaker, Mr. President, Members of the General Court:

Today it is my pleasure to present to you my recommendations for the capital budget for the next biennium. On February 13 of this year I presented to you an operating budget which I characterized as a “hold the line” budget. The capital budget which I will present to you today continues this basic philosophy of fiscal responsibility.

Before presenting my capital budget recommendations to you, I believe that we should take a moment to discuss the background of these recommendations. Over recent years, I have become increasingly concerned with the growing bond debt of the State of New Hampshire. During the six-year period between 1962 and 1968, the authorized bond debt increased from \$127.4 million to \$189.4 million, or an increase of 50%. During the 1963 session we authorized \$35.8 million worth of

bonds, during the 1965 session \$43.9 million and during the 1967 session \$36.6 million.

In passing on a capital budget request, we must keep in mind that although the bonds authorized do not affect the operating budget for the current biennium, it will have a profound effect upon the operating budgets in succeeding bienniums. Not only must the bonds be repaid, but, in addition, many new positions become mandatory in order to staff and care for these additional facilities.

It is for all of these reasons that I shall ask the Citizens Task Force to make a study in depth of our need for capital expenditures with a goal toward a long-range plan aimed at making the best use of the funds that we have available. Capital expenditures are essential to provide adequate governmental facilities for our growing state population and, of course, to maintain the facilities that we now have, but we must have a long-range plan that will allow us to move ahead in an orderly manner.

Turning to the present budget, the request of all agencies for capital expenditures amounted to \$48.8 million. My total recommendation to you for capital spending amounts to \$18,476,125.

In arriving at these recommendations, I have applied three basic tests to each requested expenditure. If a capital expenditure does not fall under any of these three basic criteria, I have rejected the request until such a time as the Citizens Task Force can take the long-range view which I feel is so essential. The three tests are these:

(1) Is the capital outlay immediately necessary for the safety and welfare of our New Hampshire citizens?

(2) Is the capital outlay necessary in order to purchase land or buildings which are now available, but which may not be available at some future time?

(3) Is the capital outlay part of an overall project which has been previously approved by the legislature but which has only been partially funded by previous legislatures?

I will not go through each and every one of my recommendations to you, but to give you a better conception of my

proposals, I have recommended, under the first criterion of safety, the renovation of the electrical system here at the State House, the installation of a number of navigational aids at our airports, the renovation of the water system and electrical system at the New Hampshire Hospital, the replacement of a frame structure at the Laconia State School which presently houses patients, the renovation of various sewer and water supplies at our state parks, and the repair of four dams which are in need of immediate attention.

Under the second criterion of land available only at this time, I have recommended the purchase and renovation of the post office building here in Concord and the purchase of Elliot Community Hospital which is immediately adjacent to the Keene State College campus. Each of these structures will be beneficial to the efficient operation of our state government and a decision must be reached at this time as to whether or not the purchase is to be made.

Under the third criterion of completing a project which has previously received approval of the General Court, I have recommended that a number of buildings be renovated and that some alterations and additions be authorized. Most of these projects will occur at the campuses of our state university system which has necessarily experienced great growth to meet the ever expanding need to afford qualified young people the college education they desire.

In conclusion, it is my belief that this capital budget, which I recommended to you today, will permit the State to carry on its vital services in an orderly way while at the same time assuring our citizens that we are making the best possible use of their tax dollars.

#### DETAIL 1970-71 CAPITAL BUDGET

DEPARTMENT AND PROJECT	AMOUNT
<i>Adjutant General</i>	
Manchester Grading	30,000

*Administration and Control*

Post Office Purchase and Renovation	700,000
Renovate Toilets — State House	80,000
Point, Steam Clean, etc., Annex	74,625
Replace Electrical Switchboard SH	65,000
Renovate Room 100 — State House	40,000

*Aeronautics*

Improvements and additions to airports for Navigational and Safety purposes	477,750
---	---------

*Agriculture*

Weights and Measures Lab	19,000
--------------------------	--------

*Education*

## Manchester Vocational

Replace machinery — shop	25,000
Parking area	49,000

## Portsmouth Vocational

Replace machinery — shop	65,000
--------------------------	--------

*Health and Welfare*

## New Hampshire Hospital

Sprinklers and Fire Alarms	125,000
Replace and Add X-ray Facilities	38,400
Replace Tobey Floors w/concrete	55,000
Replace Folders — Laundry	13,000
Emergency Lighting, Illuminated Exit Signs	57,000

## Laconia State School

Laundry Renovation	36,000
Replace Sanborn 13,000 sq. ft.	490,000
Water Tanks	50,000
Replace Pipes and Valves	19,500
Continue Road and Walk Replacement	25,000

## Industrial School

Renovate School Bldg.	35,000
Replace Boiler and Storage Tank	72,000



*Resources and Economic Development**Parks*

Pierce Homestead	25,000	
Miscellaneous Land Purchases	40,000	
	<hr/>	
	65,000	
Less Federal	20,000	
	<hr/>	
Net State	45,000	45,000
Mount Washington, Planning and Engineering	200,000	
Franconia-Flume Basin etc.	100,000	
	<hr/>	
	300,000	
Less Federal	100,000	
	<hr/>	
Net State	200,000	200,000
Franconia-Base Lodge and Sewerage		250,000
Toilets, Water Supply and Sewerage at Selected State Parks		103,500
Hampton Sea Wall — Maintenance		50,000

*State Library*

Renovate State Library	150,000	
Less Federal	75,000	
	<hr/>	
Net State	75,000	75,000

*State Prison*

Repair Brickwork East Wall	15,000
Equipment Prison Industries	20,000

*Water Resources*

Great East Dam — Wakefield	30,000
Pequawket Pond Dam	25,000
Little Sunapee Lake Dam	15,000
Horn Pond Wakefield	12,000
Baker River — Flood Control — No. 1	142,000

<i>Data Processing</i>	300,000
<i>Supreme Court</i>	
Furnishings	140,000
<i>University of New Hampshire</i>	
Durham Campus	
Renovation — Spaulding, Murkland, James, Kingsbury and Morrill Halls	750,000
Alteration to Hood House	25,000
Utilities expansion and replacements	500,000
Addition and Alteration — Paul Creative Arts Center	800,000
Keene State College	
Library addition	596,400
Acquire Eliot Community Hospital bldg.	1,550,000
New electrical substation	70,000
Campus Exterior lights	34,000
Plymouth State College	
Library addition	1,300,000
Boiler plant expansion	124,000
Land acquisition — University system	100,000
Self-Liquidating Project, Durham	
Expand food service and dining hall	562,950
<i>Highway Department</i> (see operating budget)	8,000,000
<b>TOTAL CAPITAL BUDGET</b>	<b>18,476,125</b>

On motion of Senator Buchanan from the 12th District, the Convention rose.

(Rep. O'Neil in the Chair)

#### LEAVES OF ABSENCE

Reps. Webber and Blain were granted leave of absence for the day on account of illness.

Rep. Derome was granted leave of absence for the day on account of a death in the family.

Rep. Maglaras was granted leave of absence for the day on account of important business.

### RECONSIDERATION

Rep. Varrill, having voted with the majority, served notice that today or some subsequent day he would ask for reconsideration of HCR 6, regarding Federal pay raises.

### RECONSIDERATION

Rep. Reddy, having voted with the majority, served notice that today or some subsequent day he would ask for reconsideration on HB 317, relative to publication of the names of delinquent children who have committed a second offense.

\* \* \*

Rep. Logan moved that the Rules of the House be so far suspended as to permit the introduction of HB 487, to provide improved highway access to Grenier Field and the Greater Manchester Industrial Airpark, containing an appropriation after the March 1 deadline.

Motion adopted by vv.

### RESOLUTION

Rep. McMeekin offered the following resolution.

Resolved, that in accordance with the list in the possession of the clerk, House Bills numbered 474 through 487 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.

### INTRODUCTION OF BILLS

The following bills were read a first and second time, laid on the table for printing and referred as follows:

HB 474, establishing the Sunapee district court. (Merrifield of Sullivan Dist. 8 — To Constitutional Revision.)

HB 475, providing for the cancellation without penalty of retail installment sale agreements arising from door-to-door solicitation. (Roberts of Belknap Dist. 6 — To Statutory Revision.)

HB 476, establishing a district court in the town of Alton. (Mutzbauer of Belknap Dist. 7 — To Constitutional Revision.)

HB 477, relating to the classification of the bank commissioner, the deputy bank commissioner and the assistant bank commissioner and chief examiner. (Bigelow of Merrimack Dist. 3 — To Executive Departments & Administration.)

HB 478, increasing the salary of the Rockingham county attorney. (Morrill of Rockingham Dist. 7, Maynard of Rockingham Dist. 24 — To Rockingham Delegation.)

HB 479, increasing the salaries of the Grafton county commissioners. (McMeekin of Grafton Dist. 6 — To Grafton Delegation.)

HB 480, increasing the salaries of the Hillsborough county attorney and assistant county attorney. (Sweeney of Hillsboro Dist. 36 — To Hillsboro Delegation.)

HB 481, increasing the salaries of the Hillsborough county commissioners. (Sweeney of Hillsboro Dist. 36 — To Hillsboro Delegation.)

HB 482, relative to compulsory school attendance. (Fiske of Rockingham Dist. 19 — To Education.)

HB 483, increasing the salary of the Cheshire county attorney. (Barker of Cheshire Dist. 17 — To Cheshire Delegation.)

HB 484, legalizing certain proceedings of Plymouth school district and permitting said school district to refund certain temporary notes. (Bell of Grafton Dist. 18, Sears of Grafton Dist. 18 — To Municipal & County Government.)

HB 485, increasing the salary of the Belknap county attorney. (Martin of Belknap Dist. 8 — To Belknap Delegation.)

HB 486, providing for an associate justice and a deputy clerk for the Manchester District Court and increasing the max-

imum salary provision for justices of district courts. (Delisle of Hillsborough Dist. 34, Cullity of Hillsboro Dist. 30, Zachos of Hillsboro Dist. 27 — To Manchester Delegation.)

HB 487, to provide improved highway access to Grenier Field and the Greater Manchester Industrial Airpark. (Hall of Rockingham Dist. 4, Casey of Hillsboro Dist. 32 — To Transportation.)

### COMMITTEE REPORTS

HB 49, relative to restrictions of lands by the state for fish and game propagation and other fish and game purposes. Ought to pass with amendment. Rep. Bell for Appropriations.

### AMENDMENT

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Acquisition of Lands for Fish and Game Purposes. Amend RSA 212:8 by striking out said section and inserting in place thereof the following: 212:8 Reasonable Price. The director, with the approval of the governor and council, may pay a fair and reasonable price for waters or lands, with or without buildings, required for the establishment of fish hatcheries, game farms and game refuges. The director, subject to the approval of the governor and council, may expend for the purchase of lands and waters, during any year, such amount as, in his opinion, can be allotted for that purpose.

2 Effective Date. This act shall take effect July 1, 1969.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

HB 239, relating to the appropriation for marine fisheries division of the fish and game department for the fiscal year ending June 30, 1969. Ought to pass with amendment. Rep. Saggiotes for Appropriations.

### AMENDMENT

Amend House Bill No. 239 by striking out section 1 and inserting in place thereof the following:

1 Marine Fisheries. The sum of twelve thousand five hundred seventeen dollars and seventy-four cents is hereby appropriated to be expended for the marine fisheries division by the fish and game department. This appropriation shall be in addition to the sum appropriated by Laws 1967, Chapter 380 and shall be a charge against revenue and balance of the marine fisheries division.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

HB 330, relative to the investment of state funds by the state treasurer was withdrawn by committee.

Resolution regarding budget procedures. Inexpedient to legislate. Rep. Drake for Appropriations.

Rep. Newell moved that the resolution regarding budget procedures be made a special order of business for Wednesday next at 11:01 and spoke in favor of the motion.

Motion adopted by vv.

### COMMITTEE REPORTS CONTINUED

HB 329, relative to purchase of registered mail insurance by the state treasurer. Ought to pass with amendment. Rep. Phillips for Banks and Insurance.

### AMENDMENT

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2 Name and Date of Establishment. Amend RSA 100-A:2 by adding the following sentence: Notwithstanding the above provision, the board of trustees may cause any stock or other securities to be registered and held in the name of a nominee without mention of the retirement system's ownership, provided that (1) the records of the retirement system clearly show the ownership of the stock or other securities, and (2) the nominee shall not have possession of, or access to, the stock certificates or other securities.

Further amend said bill by adding the following section:

3 Effective Date. This act shall take effect upon passage.



At the request of Rep. Burleigh, Rep. Reddy explained the amendment.

Amendment adopted and the bill ordered to third reading by vv.

HJR 48, in favor of Robert Brodeau was withdrawn by committee.

HJR 49, to reimburse Robert E. Cross for loss of his automobile. Inexpedient to legislate. Rep. Mousseau for Claims, Military and Veterans Affairs.

Rep. Healy moved that HJR 49 be recommitted to committee, and spoke in favor of the motion.

Motion adopted by vv.

\* \* \*

Rep. Logan moved that the Governor's Capital Budget Message and the pages of figures be printed in today's Journal.

Motion adopted by vv.

### COMMITTEE REPORTS CONTINUED

HB 377, to compensate the towns and cities for tax exempt land owned by the state and making an appropriation therefor. Ought to pass with amendment. Rep. Hanson for Municipal and County Government.

### AMENDMENT

Amend RSA 72-A:3, I as inserted by section 1 of the bill by striking out where it appears in lines two and three the word "assessed" and inserting in place thereof the word (appraised) so that said paragraph as amended shall read as follows:

I. The towns and cities where state owned land is located shall be compensated at the ratio that the appraised value of the state owned land in each city or town has to the total appraised value of state owned land as certified by the tax commission.

Amend RSA 72-A:3, II as inserted by section 1 of the bill by striking out in line two the word "assessed" and inserting in place thereof the word (appraised) so that said paragraph as amended shall read as follows:

II. Notwithstanding the provisions of paragraph I, in no case may a city or town be compensated for more than fifty per cent of the appraised valuation of the state owned land in said city or town.

Amend section 3 of the bill striking out said section and inserting in place thereof the following:

3 Repeal.

I. RSA 219:32 (supp) as amended by 1959, 79:2 and 1965, 70:1, 219:33 (supp) as amended by 1965, 70:2 and 219:34 relative to reimbursement to towns for state owned land is hereby repealed.

II. RSA 216-A:3-a as inserted by 1963, 308:1 and 216-A:3-b as inserted by 1963, 308:1 relative to the payment by the state in lieu of taxes for state owned land is hereby repealed.

Amend the bill by inserting after section 3 the following new section :

4 Effective Date. This act shall take effect sixty days after its passage.

\* \* \*

Rep. Raiche moved that HB 377 be indefinitely postponed and spoke in favor of the motion.

Rep. Hanson explained the committee report and spoke against the motion.

(discussion ensued)

Reps. deBlois and Trowbridge spoke against the motion.

Motion lost by vv.

Amendment adopted by vv. Referred to Appropriations under the Rules.

HB 264, providing for the acquisition of certain lands and flowage rights and dam and to provide for the construction of a lake management structure at the outlet of Angle Pond in Sandown, Hampstead, and making an appropriation therefor. Inexpedient to legislate. Rep. Claflin for Resources, Recreation and Development.

Resolution adopted by vv.

Rep. Roger Smith moved that the Rules of the House be so far suspended as to permit the introduction of a committee report not previously advertised in the Journal and spoke in favor of the motion.

Motion adopted by vv.

SB 113, increasing the appropriation for the repairing of Ashland Dam. Ought to pass. Rep. Roger Smith for Appropriations.

Ordered to third reading by vv.

Rep. Roger Smith moved that the Rules of the House be so far suspended as to permit the introduction of a committee report not previously advertised in the Journal and spoke in favor of the motion.

Motion adopted by vv.

SB 114, relative to the 1969 appropriation for the Division of Parks. Rep. Roger Smith for Appropriations. Ought to pass.

Ordered to third reading by vv.

\* \* \*

The Chair called for HB 244, to empower the Rockingham County Convention to set the salaries of certain county officers, under House Rule 56.

Rep. Morrill requested that HB 244 be tabled until Tuesday next.

The Chair stated that HB 244 will be placed on the calendar for Tuesday next under House Rule 56.

The Chair called for HB 246, to discontinue terms of superior court at Nashua, under House Rule 56.

Rep. Stafford moved that HB 246 be recommitted to the Nashua Delegation.

Motion adopted by vv.

The Chair called for HB 265, relative to foster care services for certain children and youth and making an appropriation therefor, under House Rule 56.

Rep. Cochran moved that HB 265 be recommitted to the committee on Labor, Human Resources & Rehabilitation for a six day extension and spoke in favor of the motion.

Motion adopted by vv.

The Chair called for HB 267, in favor of Roger J. Paradise, under House Rule 56.

Ordered to third reading by vv.

The Chair called for HB 275, requiring the establishment of a manufacturing engineering curriculum at the New Hampshire Technical Institute, and making an appropriation therefor, under House Rule 56.

Rep. Stevenson moved that HB 275 be recommitted to committee on Education for a six day extension under House Rule 56.

Motion adopted by vv.

The Chair called for HB 278, relative to residence halls, food service and supporting service building at the university, under House Rule 56.

Rep. Trowbridge moved that HB 278 be recommitted to the committee on Public Works for a six day extension under House Rule 56 and spoke in favor of the motion.

Motion adopted by vv.

The Chair called for HJR 33, in favor of Anthony Fabrizio, under House Rule 56. Majority: Inexpedient to legislate; Minority: Ought to pass. Claims, Military and Veterans Affairs.

### PARLIAMENTARY INQUIRY

Rep. McMeekin rose on a point of parliamentary inquiry.

The Chair ruled that Rule 56 requires that this bill be placed on the calendar for action, and that the committee report shall take precedence.

Rep. Cournoyer moved that the minority report, ought to pass, be substituted for the majority report, inexpedient to legislate, and spoke in favor of the motion.

Rep. Greenwood spoke against the motion.

Rep. Stafford explained the resolution and spoke in favor of the motion.

(discussion ensued)

Reps. Coutermarsh and Maloomian spoke in favor of the motion.

At the request of Reps. Trowbridge and Williamson, Rep. Stafford answered questions.

Rep. Ormiston spoke against the motion.

Rep. Reddy moved the previous question and it was sufficiently seconded.

Motion adopted by vv.

Question being on the motion to substitute the words, ought to pass, for inexpedient to legislate.

Motion adopted by vv.

A division was requested.

188 members having voted in the affirmative and 101 in the negative the motion to substitute prevailed.

Rep. Stafford offered the following amendment.

#### AMENDMENT

Amend the resolution by striking out the same and inserting in place thereof the following:

That the sum of twenty-five hundred dollars is hereby appropriated to be paid to Anthony Fabrizzo of New York state for court costs and expenses incurred during litigation defending the New Hampshire Sweepstakes. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

The Clerk read the amendment in full.

Amendment adopted; resolution ordered to third reading by vv.

#### RESOLUTION

Representative Claflin of Carroll County District 7 offers the following resolution and moves its adoption.

*Resolved*, that an opinion from the attorney general be requested on the following questions in regard to House Bill No. 152, an act to prohibit the construction or conversion of structures built over the waters of the state for the purpose of dwelling therein:

(1) Do the terms "public water" or "public owned water body" as used in said bill include tidal rivers?

(2) Are there any existing statutes that currently prohibit the construction or conversion of structures for use as dwelling units if any part of said structures extend beyond the shoreline of any tidal rivers, whether or not tidal rivers are considered to be public waters or public owned water bodies?

(3) Are there any existing statutes that currently prohibit the construction or conversion of structures for use as dwelling units if any part of said structures extend beyond the shoreline of any public waters?

Rep. Claflin explained the resolution.

Resolution adopted by vv.

## RESOLUTION

Rep. Vachon for the Manchester Delegation offered the following resolution.

## RESOLUTION

*Whereas*, we have learned with regret of the death of Albina S. Martel, Representative from Manchester, and

*Whereas*, Mrs. Martel served her community faithfully and with efficiency, therefore be it

*Resolved*, that we, the members of the House of Representatives in General Court convened, do hereby extend our sympathy to her family, and be it further

*Resolved*, that a copy of these Resolutions be transmitted to Mr. Martel.

\* \* \*

Resolutions unanimously adopted by a standing vote and a moment of silent prayer.



The Chair appoints members of the Manchester Delegation to attend the funeral of Rep. Albina Martel.

The Chair also instructs the Clerk to order flowers from the House of Representatives.

\* \* \*

### SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

HB 171, relative to filing declarations of candidacy for delegate to a national convention.

HB 196, establishing a police commission for the town of Conway.

HB 250, requiring that perambulations of town lines be filed with the secretary of state.

### FURTHER SENATE MESSAGE, INTRODUCTION OF SENATE BILLS AND REFERRAL AS FOLLOWS:

The following Senate Bills were read a first and second time and referred as follows:

SB 22, to provide for the permissive registration of professional foresters. Executive Departments and Administration.

SB 71, relative to salary increases upon certification and eligibility for certification of certain medical personnel. Appropriations.

SB 83, relative to the political calendar. Legislative Revision.

SB 96, relative to the creation of the New Hampshire Vermont District of the Unitarian Universalist Association. Statutory Revision.

SB 116, legalizing the nomination and election of town officers in the town of Alton. Municipal & County Government.

Rep. Mutzbauer moved that the Rules of the House be so far suspended as to dispense with the printing of SB 116, public

hearing and that the bill be placed on third reading and final passage at the present time.

SB 116,

### AN ACT

legalizing the nomination and election of town officers  
in the Town of Alton.

*Be it Enacted by the Senate and House of Representatives  
in General Court convened:*

1 Election Legalized. The nomination of candidates for town office at the Republican caucus held in the town of Alton on March 4, 1969 and the election of town officers at the town meeting held in said Alton on March 11, 1969 are hereby legalized, confirmed and ratified.

2 Effective Date. This act shall take effect upon passage.

Motion adopted by vv.

### THIRD READING

SB 116, legalizing the nomination and election of town officers in the town of Alton, was read a third time, passed, and sent to the Secretary of State to be engrossed.

On motion of Rep. Stafford the House adjourned from the early session in memory of Rep. Albina Martel and the Rules of the House were so far suspended as to permit the reading of bills by title only, House Joint Resolutions by caption only, and that when the House adjourns today it be to meet Tuesday next at 11:00 o'clock.

### LATE SESSION THIRD READINGS

The following House Bills were read a third time, passed, and sent to the Senate for concurrence.

HB 49, relative to restrictions on acquisition of lands by the state for fish and game propagation and other fish and game purposes.

HB 239, relating to the appropriation for marine fisheries division of the fish and game department for the fiscal year ending June 30, 1969.

HB 329, relative to purchase of registered mail insurance by the state treasurer.

HB 267, in favor of Roger J. Paradise.

HJR 33, in favor of Anthony Fabrizio.

The following Senate Bills were read a third time, passed, and sent to the Secretary of State to be engrossed:

SB 113, increasing the appropriation for the repairing of Ashland Dam.

SB 114, relative to the 1969 appropriation for the Division of Parks.

\* \* \*

### RECONSIDERATION

Rep. Stafford, having voted with the majority, moved that the House reconsider its action whereby it passed HJR 33 and spoke against the motion.

Motion lost by vv.

\* \* \*

On motion of Rep. Greene the House adjourned at 2:41 P. M. in memory of Rep. Albina Martel.

---

*Tuesday, March 18, 1969*

The House met at 11:00 o'clock.

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

“Blessed are the meek, for they shall inherit the earth.”  
(Matthew 5:5)

GRACIOUS GOD, teach us to be gentle, patient, and humble throughout all the days of our life. As Thou has laid before us both challenge and opportunity, grant us the wisdom

and the strength to neither rebel against life nor submit to life's misfortunes. Grant us the courage to accept life with all its responsibilities and hardships, to seek and desire that better way of living that comes only through our acceptance of Thy Will and Thy Design, O God. How happy are those who claim nothing, for the whole earth will belong to them who invest their lives in its growth and development, who know the value of love and the quality of mercy, who are concerned for others before themselves. So guide and direct us this day that our meekness be not mistaken for apathy and complacency, not tagged by inexpediency, but crowned with courage and conviction in Thy Holy Truth. Amen.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Chamberlin led the House in the Pledge of Allegiance to the Flag.

### LEAVES OF ABSENCE

Rep. Hayes was granted leave of absence for the day on account of illness in the family.

Reps. Gile, Walker and C. Edwin Howard were granted leave of absence for the day on account of important business.

Rep. Boire was granted leave of absence for the week on account of important business.

### RESOLUTION

Rep. McMeekin offered the following resolution:

*Resolved*, that in accordance with the list in the possession of the clerk, House Bills numbered 488 through 492 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.

### INTRODUCTION OF BILLS

The following bills were read a first and second time, laid on the table for printing, and referred as follows:

HB 488, relating to the licensing of auctioneers. (Allen of Cheshire Dist. 8 — To Executive Departments & Administration.)

HB 489, increasing the salary of the Coos county treasurer. (Fortier of Coos Dist. 6, Noyes of Coos Dist. 1 — To Coos Delegation.)

HB 490, relative to the fiscal years of towns and village districts. (Bednar of Hillsboro Dist. 23 — To Municipal & County Government.)

HB 491, establishing the Rye district court. (Hammond & Green of Rockingham Dist. 22 — To Constitutional Revision.)

HB 492, relative to legislative mileage allowances. (Bridges of Hillsboro Dist. 13 — To Mileage Committee.)

### COMMITTEE REPORTS

#### SB 69

relative to distribution of pari-mutuel taxes to agricultural fairs. Ought to pass. Rep. Underwood for Agriculture.

Ordered to third reading by vv.

### QUALIFIED

Rep. Armand Capistran appeared before His Excellency Governor Peterson and was sworn in as Representative from Ward 12, Hillsborough District 38.

### COMMITTEE REPORTS CONTINUED

#### HJR 38

in favor of Willis R. Lott, Inexpedient to legislate. Rep. Mousseau for Claims, Military and Veterans Affairs.

Resolution adopted by vv.

#### HJR 41

providing compensation for seven employees of the racing commission. Ought to pass. Rep. Mousseau for Claims, Military and Veterans Affairs.

At the request of Rep. Coburn, Rep. Greenwood explained the resolution.

(Rep. Stafford in the Chair)

(discussion ensued)

(Speaker in the Chair)

Ordered to third reading by vv.

**CA-CR 21**

proposing constitutional amendment relating to the right to vote. Inexpedient to legislate. Rep. Jennie Bennett for Constitutional Revision.

Resolution adopted by vv.

**HB 406**

establishing a state department of transportation and making an appropriation therefor. Inexpedient to legislate. Rep. Martin for Executive Departments and Administration.

Rep. Coutermarsh moved that the words "ought to pass" be substituted for the committee report "inexpedient to legislate" and subsequently withdrew his motion.

Resolution adopted by vv.

**HB 410**

providing for payment of certain personnel of New Hampshire hospital for on-call time. Ought to pass. Rep. Lila Chase for Executive Departments and Administration.

Referred to Appropriations under the Rules.

**HB 361**

relative to the term of office of registers of deeds and registers of probate in Grafton County. Inexpedient to legislate. Rep. Phil Bennett for Grafton County Delegation.

Resolution adopted by vv.

**HB 198**

permitting towns of one thousand population or less to continue burning refuse in public open dumps. Inexpedient to legislate. Rep. Cochrane for Labor, Human Resources and Rehabilitation.

Resolution adopted by vv.

**HB 345**

relative to awards for back injuries in workmen's compensation cases. Inexpedient to legislate. Rep. O'Hara for Labor, Human Resources and Rehabilitation.

Resolution adopted by vv.

**HB 283**

establishing a police commission for the town of Bow. Inexpedient to legislate. Rep. Hanson for Municipal and County Government.

Resolution adopted by vv.



**HB 117**

requiring automatic sprinkler systems and certain fire resistant materials in hospitals and other licensed health facilities. Inexpedient to legislate. Rep. Noyes for Public Health, Welfare and State Institutions.

Rep. Knight moved that the words "ought to pass with amendment" be substituted for the committee report "inexpedient to legislate" and spoke in favor of the motion.

**AMENDMENT**

Amend the title of said bill by striking out the words "other licensed health facilities" and inserting in place thereof the following (nursing homes) so that said title as amended shall read as follows:

**An Act**

requiring automatic sprinkler systems and certain fire resistant materials in hospitals and nursing homes.

Amend said bill by striking out everything after the enacting clause and inserting in place thereof the following:

1 Automatic Sprinkler System, Etc. Amend RSA 151 by inserting after section 18 the following new section:

151:19 Fire Protection. The division of public health services of the department of health and welfare and the state board of fire control shall have concurrent authority to enforce the following requirements in hospitals and nursing homes, but not in rest homes or sheltered homes:

I. All buildings or portions of buildings subject to license hereunder which are classified as hazardous by the fire marshal or are of other than fire resistive construction shall be protected by an automatic sprinkler system. All sprinkler systems shall be approved by the New Hampshire Board of Fire Underwriters.

II. Flame spread of wall and ceiling finish materials of corridors, stairwells, other vertical shafts, and patient rooms shall be within the range of 0-25 in accordance with ratings obtained from ASTM E-84 standard tests.

III. All combustible draperies, cubicle curtains, and curtains for decorative and acoustical purposes shall be rendered and maintained flameproof.

IV. In the event that any federal regulations now in force or hereafter adopted relative to the subject matter of this section are in conflict with any of the provisions of this section, the requirements of such federal regulations shall prevail.

2 Compliance Date. Substantial compliance with the above must be accomplished by all licensed facilities by January 1, 1972.

3 Effective Date. This act shall take effect sixty days after its passage.

The Clerk read the amendment in full.

(discussion ensued)

Reps. Cleon Heald and Mackintosh spoke against the motion.

Rep. Zachos spoke in favor of the motion.

(discussion ensued)

Rep. Zachos yielded to Rep. Tasoulas to answer questions.

Rep. Higgins requested Rep. Zachos to answer questions.

Rep. George Roberts spoke in favor of the motion.

Rep. Maloomian moved the previous question and it was sufficiently seconded.

The question being, shall the main question now be put.

Motion adopted by vv.

The question now being on the motion to substitute "ought to pass with amendment" for the committee report "inexpedient to legislate".

Motion lost by vv.

The question now being on the adoption of the committee resolution, inexpedient to legislate.

Resolution adopted by vv.

**HB 285**

relative to old age assistance to aliens, and making an appropriation therefor. Ought to pass. Rep. Tarr for Public Health, Welfare and State Institutions.

Referred to Appropriations under the Rules.

**HB 259**

relative to the practice of engineering. Ought to pass with amendment. Rep. Hackler for Public Works.

**AMENDMENT**

Amend section 1 of the bill by striking out the last sentence and inserting in place thereof the following:

When an applicant presents evidence of outstanding qualifications for registration, the board may, by unanimous vote of all members waive the above requirements relating to age and total years of practice, but in no case shall an applicant be registered without examination under this section who is less than thirty-three years of age with a specific record of not less than ten years of practice in professional engineering work of a character satisfactory to the board.

Amend section 2 of the bill by inserting in line twelve after the word "board" the words (in counting years of experience) so that said section as amended shall read as follows:

2 Qualifications. Amend RSA 319:16 as amended by 1959, 38:4 by striking out said section and inserting in place thereof the following: 319:16 Education Credits. The satisfactory completion of each year of an approved curriculum in engineering in a school or college approved by the board as of satisfactory standing, without graduation, shall be considered as equivalent to a year of experience in (b) and (c) of section 13. Graduation in a curriculum other than engineering, but in a related field, from a college or university of recognized standing may be considered as equivalent to two years of experience in said (b) and (c) provided, however, that no applicant shall receive credit for more than four years of experience because of undergraduate educational qualifications. The board in counting years of experience, at its discretion, may give credit not in excess of one year for satisfactory graduate study in engineering.

Amendment adopted and the bill ordered to third reading by vv.

### HB 162

to aid municipalities for water pollution control by state contribution for costs prior to receipt of federal funds. Ought to pass with amendment. Rep. Claffin for Resources, Recreation and Development.

### AMENDMENT

Amend section 1 of the bill by inserting after the word "sewage" in lines two and seven the words (and/or waste) so that said section as amended shall read as follows:

1 Prefinancing of Federal Grant. When, for lack of adequate federal funds at the time of acquisition and construction of sewage and/or waste disposal facilities by any municipality, hereby defined as county, city, town or village district, the state of New Hampshire, in addition to contributions provided for under RSA 149-B, shall pay not in excess of fifty percent of the yearly amortization charges on the original costs resulting from the acquisition and construction of sewage and/or waste disposal facilities by it. The word "construction" and the term "original costs" shall have the same meaning for the purposes of this section as they have for the purposes of RSA 149-B. The purpose of the additional payment as established herein is to provide each municipality, in the absence of federal funds, with a maximum grant of ninety percent of the original costs involved in the construction of needed sewerage and/or sewage or waste treatment facilities.

Amend section 4 of the bill by inserting after the word "chapter" in line two the words (and to furnish the aid provided for in RSA 149-B, for any municipality which shall acquire or construct sewage and/or waste disposal facilities, as authorized hereunder,) so that said section as amended shall read as follows:

4 Appropriation. There is hereby appropriated for the purposes of carrying out the provisions of this chapter and to furnish the aid provided for in RSA 149-B, for any municipality which shall acquire or construct sewage and/or waste disposal facilities, as authorized hereunder, the sum of \$1,029,000 for the fiscal year ending June 30, 1970, and the sum of \$1,010,-

000 for the fiscal year ending June 30, 1971. The sums hereby appropriated shall be administered by the water supply and pollution control commission and shall not lapse but shall be added to the appropriation of the commission for any succeeding fiscal year to be used for the purposes herein contained.

\* \* \*

At the request of Rep. Newell, Rep. Urie explained the bill and amendment.

(discussion ensued)

Amendment adopted by vv. Referred to Appropriations under the Rules.

### **HB 9**

requiring that petitioners for approval to excavate, fill or dredge in or adjacent to tidal waters pay hearing expenses. Inexpedient to legislate; subject covered by pending legislation. Rep. Claflin for Resources, Recreation and Development.

Resolution adopted by vv.

### **HB 184**

relative to constructions in or adjacent to surface waters and submission of plans therefor. Inexpedient to legislate; subject covered by pending legislation. Rep. Claflin for Resources, Recreation and Development.

Resolution adopted by vv.

### **HB 199**

reimbursing landowners for losses sustained through restrictions on use of marshlands. Inexpedient to legislate; subject covered by pending legislation. Rep. Claflin for Resources, Recreation and Development.

Resolution adopted by vv.

### **HB 200**

to repeal certain provisions relative to excavating and dredging near tidal waters and public waters. Inexpedient to legislate; subject covered by pending legislation. Rep. Claflin for Resources, Recreation and Development.

Resolution adopted by vv.



**HB 289**

exempting certain tidal marshlands from statutory restrictions on excavating and dredging. Inexpedient to legislate; subject covered by pending legislation. Rep. Claflin for Resources, Recreation and Development.

Resolution adopted by vv.

**HB 290**

relative to filling and excavating of certain marshlands in the town of Rye. Inexpedient to legislate; subject covered by pending legislation. Rep. Claflin for Resources, Recreation and Development.

Rep. Hammond moved that the words "ought to pass" be substituted for the report of the committee, "Inexpedient to legislate; subject covered by pending legislation" and spoke in favor of the motion.

Rep. Urie spoke against the motion.

(discussion ensued)

Rep. Greene spoke in favor of the motion.

Reps. Kopperl and Claflin spoke against the motion.

Motion lost by vv.

Resolution adopted by vv.

**HB 371**

relative to requirements for state contracts for services. Ought to pass with amendment. Rep. Shirley for Statutory Revision.

**AMENDMENT**

Amend RSA 5:18-a as inserted by section 1 of the bill by inserting in line two after the word "total" the word (of) and by striking out in line eight the words "together with evidence of the authority of the person executing the contract to do so" and inserting in place thereof the following (provided, however, that each contract between the state and a resident or nonresident corporation, partnership or association shall have attached thereto evidence of authority of the parties to execute and be bound by said contract) so that said section as amended shall read as follows:



5:18-a Requirements. In addition to any other requirements, no contract for personal services, under which the total of payments equals one thousand dollars or more, in lump sum or installments, between the state and a nonresident corporation, partnership or association or between the state and a resident doing business under a name other than his own, shall be valid unless said contract shall have attached thereto evidence of registration with the secretary of state as required under RSA 300, 305-A or 349, provided, however, that each contract between the state and a resident or nonresident corporation, partnership or association shall have attached thereto evidence of authority of the parties to execute and be bound by said contract.

Amendment adopted and the bill ordered to third reading by vv.

### **HB 388**

increasing the interest rates upon overdue taxes and upon the amount due when redeeming after a tax sale. Ought to pass. Rep. Shirley for Statutory Revision.

At the request of Rep. Ratoff, Rep. Shirley explained the bill.

(discussion ensued)

Rep. Maloomian moved that HB 388 be indefinitely postponed and spoke in favor of the motion.

Reps. Senter, Healy and Hackler spoke in favor of the motion.

(discussion ensued)

Reps. Hanson and deBlois spoke against the motion.

(discussion ensued)

(Rep. Stafford in the Chair)

(Speaker in the Chair)

Reps. Shirley, Scammon and McMeekin spoke against the motion.

Reps. Brungot, Irene Reed, Galbraith and Cares spoke in favor of the motion.

(discussion ensued)

Rep. Wilfred Boisvert moved the previous question and it was sufficiently seconded.

The question being, shall the main question now be put.

Motion adopted by vv.

The question now being on the motion that HB 388 be indefinitely postponed.

Motion adopted by vv.

### INTRODUCTION OF A BILL

#### HJR 58

appropriating funds for the rent, maintenance and repair of the old post office building. Rules Committee for Rep. Logan of Sullivan Dist. 1, Rep. Raiche of Hillsboro Dist. 34, & Rep. Johnson of Grafton Dist. 9 — To Appropriations.)

### JOINT RESOLUTION

appropriating funds for the rent, maintenance and repair of the old post office building.

*Resolved by the Senate and House of Representatives in General Court convened:*

*That*, for the fiscal years ending June 30, 1969 and June 30, 1970, the total sum of seventy-five hundred dollars is hereby appropriated to be expended by the governor for the purposes of rent, maintenance and repair of the old post office building in the city of Concord. The governor is authorized to draw his warrants for said sums out of any money in the treasury not otherwise appropriated.

Rep. Logan moved that the Rules of the House be so far suspended as to dispense with printing, public hearing on HJR 58, and that the bill be placed on third reading and final passage at the present time.

The Clerk read the resolution in full.

Reps. Logan and Angus spoke in favor of the motion.

Motion adopted by vv.

HJR 58 was read a third time, passed and sent to the Senate for concurrence.

The Chair called for

**HB 183**

relative to acquisition of easements and lands as required for water pollution and water control, under House Rule 56.

Rep. Claflin moved that HB 183 be made a special order for 11:02 tomorrow morning, March 19.

Motion adopted by vv.

\* \* \*

The Chair called for

**HB 119**

to improve management employee relations in state employment, under House Rule 56 and granted a six-day extension.

The Chair called for

**HB 152**

to prohibit the construction or conversion of structures built over the waters of the state for the purpose of dwelling therein, under House Rule 56 and granted a six-day extension.

\* \* \*

The Chair called for

**HB 244**

to empower the Rockingham County Convention to set the salaries of certain county officers, under House Rule 56.

Rep. Morrill moved that HB 244 be made a special order of business for March 25 at 11:01.

Motion adopted by vv.

\* \* \*

The Chair called for

**HB 271**

to establish a department of adult correction and making an appropriation therefor, under House Rule 56, and granted a six-day extension.

\* \* \*

SENATE MESSAGE

The Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in

the passage of which amendments the Senate asks the concurrence of the House of Representatives:

### HB 47

to allow greater flexibility in the use of funds appropriated for constructing and equipping a health training center at the state technical institute.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Construction Appropriation. Amend Laws of 1967, 410:4 and 410:5 by striking out said sections and inserting in place thereof the following:

410:4 Construction Appropriation. There is hereby appropriated the following sums for the therein identified purposes:

Health building	\$1,002,000	
Equipment	160,000	
		<hr/>
		\$1,162,000
Library building	350,250	
Books	40,000	
Equipment	20,000	
		<hr/>
		410,250
Expansion of cafeteria		69,000
Expansion of parking facilities		55,000
		<hr/>
Total appropriation		1,696,250
Less estimated federal funds		440,371
		<hr/>
Net appropriation		\$1,255,879

If federal funds in excess of those estimated become available, the net appropriation shall be decreased by the amount of excess.

The appropriation provided by this section shall be available until June 30, 1971.

Transfers may be made between items listed above, except for equipment and books, with governor and council approval.

410:5 Bonds Authorized. To provide funds for the appropriation(s) made by this act the state treasurer is hereby au-

thorized to borrow upon the credit of the state not exceeding the sum of one million two hundred fifty-five thousand eight hundred seventy-nine dollars and for said purpose may issue bonds and notes in the name and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A.

2 Effective Date. This act shall take effect upon passage.

Rep. Roger Smith moved that the House concur in the Senate amendment.

At the request of Rep. Ferguson, Rep. Roger Smith answered questions.

At the request of Rep. Alice Davis, Rep. Roger Smith explained the Senate amendment.

On a vv the House nonconcurred in the Senate amendment.

Rep. Roger Smith requested a division.

### PARLIAMENTARY INQUIRY

Reps. O'Neil, Stevenson and Clement rose on a point of parliamentary inquiry.

The nays being manifestly in the negative, the motion to concur lost.

Rep. O'Neil moved that the House nonconcur in the Senate amendment and that a committee of conference be appointed.

Motion adopted by vv.

The Speaker appointed as members Reps. Milburn Roberts, Saggiotes and Edward York as conferees on the part of the House.

\* \* \*

### HB 475

Rep. McMeekin moved that the order whereby HB 475, providing for the cancellation without penalty of retail installment sale agreements arising from door-to-door solicitation, was referred to Statutory Revision be vacated and referred to Executive Departments and Administration.

Motion adopted by vv.

## ENGROSSED BILLS COMMITTEE REPORT

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled Senate Bills:

SB 113, increasing the appropriation for the repairing of Ashland Dam.

SB 114, relative to the 1969 appropriation for the division of parks.

SB 116, legalizing the nomination and election of town officers in the town of Alton.

Roxie A. Forbes  
for the Committee

Rep. Stafford moved that the order whereby SCR 3, providing for observance of the 150th anniversary of the opening of the state house, was referred to Legislative Revision be vacated and that the public hearing, two days notice in the Journal be dispensed with and that the resolution be placed on third reading and final passage at the present time, and spoke in favor of the motion.

At the request of Rep. Soucy the Clerk read the resolution in full.

That the joint rules committee shall plan, arrange and supervise a suitable Legislative observance of the sesquicentennial of the opening of the State House which occurred on June 2, 1819.

Motion adopted by vv.

On motion of Rep. Stafford the House adjourned from the early session and the Rules of the House were so far suspended as to permit reading of bills by title only, HJR by caption only, and that when the House adjourns today it be to meet tomorrow at 11:00 o'clock.

LATE SESSION  
THIRD READINGS

The following House Bills and HJR were read a third time, passed, and sent to the Senate for concurrence:

HJR 41, providing compensation for seven employees of the racing commission.



HB 259, relative to the practice of engineering.

HB 371, relative to requirements for state contracts for services.

SB 69, relative to distribution of pari-mutuel taxes to agricultural fairs, was read a third time, passed, and sent to the Secretary of State to be engrossed.

SCR 3, providing for observance of the 150th anniversary of the opening of the state house, was read a third time and passed.

The Chair announced that today was the 76th birthday of Rep. William Gardner.

On motion of Rep. William Gardner the House adjourned at 2:58 P.M.

---

### *Wednesday, March 19, 1969*

The House met at 11:00 o'clock.

Prayer was offered by Rev. William L. Shafer of Chichester as follows:

"Blessed are they which do hunger and thirst after righteousness, for they shall be filled." (Matthew 5:6)

We come unto Thee, O God, our Father, with hungry hearts and thirsting minds. Fill the empty vessels of our lives with the desire for goodness, arm us with purpose, gird us for being and doing right. How happy are those whose heart's desire is for righteousness, whose minds seek wisdom and truth above all else, who live and act to see right prevail in spite of those who would sacrifice honor for the sake of selfish motives. May our greatest ambition be not in how much we can possess but in how right and good our lives can become in serving Thee and our fellow man. Let no one ignore the lessons of history else we be condemned to re-live it. Guide and direct us by Thy Holy Spirit that we may live to honor Thee, faithful in our stewardship, and true to our calling. Amen.

## PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Hanson led the House in the Pledge of Allegiance to the Flag.

## LEAVES OF ABSENCE

Reps. Walker and Armand Duhaime were granted leave of absence for the day on account of illness.

Rep. Sawyer was granted indefinite leave of absence on account of illness.

Reps. Wallin and Lockhart were granted leave of absence for today and tomorrow on account of important business.

## RESOLUTION

Rep. McMeekin offered the following resolution:

*Resolved*, that in accordance with the list in the possession of the clerk, House Bills numbered 493 through 511, 513 through 524 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

Resolution adopted by vv.

## INTRODUCTION OF BILLS

The following bills were read a first and second time, laid on the table for printing and referred as follows:

HB 493, to provide for enforcement of the Historic District Act in municipalities where there are no zoning ordinances. (Ellms of Grafton Dist. 14 — To Municipal & County Government.)

HB 494, legalizing proceedings of Hopkinton School District Meetings held in the Town of Hopkinton on March 16, 1968 and March 15, 1969. (Rules Committee for Rep. Reddy of Merrimack Dist. 5 — To Statutory Revision.)

HB 495, relative to overseers of public welfare. (Murray of Hillsborough Dist. 7 — To Municipal & County Government.)

HB 496, to tax gains realized upon the sale of certain tax exempt real property. (Howard of Merrimack Dist. 26 — To Ways & Means.)

HB 497, providing for the appointment of additional deputy sheriffs on salaries in Belknap county and providing the sheriff shall fix their rate of compensation. (Martin of Belknap Dist. 8 — To Belknap Delegation.)

HB 498, relative to special number plates for justices and special justices of district courts. (Knight of Hillsborough Dist. 4 — To Transportation.)

HB 499, relative to the abolition of the department of personnel of the city of Manchester. (Belanger of Hillsborough Dist. 36 — To Manchester Delegation.)

HB 500, relative to issuing licenses to carry a loaded pistol or revolver. (Barker of Cheshire Dist. 17 — To Statutory Revision.)

HB 501, relative to resident alien hunting and fishing licenses. (Bridges of Hillsborough Dist. 13 — To Fish & Game.)

HB 502, adopting the uniform act on paternity. (Oleson of Coos Dist. 5 — To Judiciary)

HB 503, providing real estate tax exemptions for certain persons sixty-five years of age or over in the city of Nashua. (Bouchard of Hillsborough Dist. 14 — To Nashua Delegation.)

HB 504, providing for two medical referees in Merrimack county. (Welch of Merrimack Dist. 27, Gilman of Merrimack Dist. 15 — To Merrimack Delegation.)

HB 505, to increase the compensation of the mayor of Nashua. (Bouchard of Hillsborough Dist. 14 — To Nashua Delegation.)

HB 506, amending the charter of the city of Nashua by raising the salary of the aldermen. (Bouchard of Hillsborough Dist. 14 — To Nashua Delegation.)

HB 507, providing that no rifle be used in the hunting of deer unless it is equipped with a telescopic sight. (Gilman of Merrimack Dist. 15 — To Fish & Game.)

HB 508, increasing the salary of Cheshire county commissioners. (Allen of Cheshire Dist. 8 — To Cheshire Delegation.)

HB 509, relative to places where liquor commission agents may enter to enforce liquor laws. (D'Amante of Sullivan Dist. 5 — To Liquor Laws.)

HB 510, to increase the state's contribution to state employees group insurance. (Angus of Sullivan Dist. 4 — To Executive Departments & Administration.)

HB 511, relative to allowing credit and supervisory committee members the same borrowing privileges now available to members of boards of directors of credit unions. (Nixon of Hillsborough Dist. 5 — To Banks & Insurance.)

HB 513, regulating outdoor advertising on the interstate and federal-aid primary highway systems. (Trowbridge of Cheshire Dist. 4 — To Public Works.)

HB 514, defining the method of apportioning costs for the relocation of highways caused by small-watershed projects. (Davis of Carroll Dist. 2 — To Public Works.)

HB 515, relative to funds for state nursing scholarship program. (Weeks of Rockingham Dist. 23 — To Appropriations.)

HB 516, providing for reasonable notice of ski injuries to operators. (Nixon of Hillsborough Dist. 5 — To Statutory Revision.)

HB 517, relative to fees for licensed practical nurses. (Goodrich of Rockingham Dist. 13 — To Public Health, Welfare & Institutions.)

HB 518, providing insurance equality for chiropractors, osteopaths, optometrists, and podiatrists. (Anderson of Merrimack Dist. 25 — To Public Health, Welfare & Institutions.)

HB 519, relative to powers and duties of the presiding officers of the general court and the fiscal committee. (Newell of Merrimack Dist. 26 — To Legislative Revision.)

HB 520, to prohibit debt pooling. (Bigelow of Merrimack Dist. 3 — To Banks & Insurance.)

HB 521, enabling towns to have a contingency fund without being required to put a special article in the warrant each year. (Allan of Belknap Dist. 2 — To Municipal & County Government.)

HB 522, allowing the state board of examiners of psychologists to set the certification and renewal fees for psychologists. (Radway of Grafton Dist. 9 — To Public Health, Welfare & Institutions.)

HB 523, requiring certain retail businesses to be closed on certain holidays. (Vachon of Hillsborough Dist. 40 — To Constitutional Revision.)

HB 524, allowing work done for close family relations to be considered employment for the purposes of the unemployment

ment compensation law. (Welch of Merrimack Dist. 18 — To Labor, Human Resources & Rehabilitation.)

HB 512 was withdrawn.

The Chair instructed the Clerk to read Section 727 of Mason's Rules.

"Sec. 727. Withdrawal of bills. 1. A bill may be withdrawn prior to introduction, which consists of giving it a number and reading it by title. A bill may not be withdrawn, after introduction, in the absence of a special rule, without the consent of the body. Many legislative bodies have provided by rule that a bill may be withdrawn without consent before decision or amendment."

#### SENATE MESSAGE, INTRODUCTION OF SENATE BILLS AND REFERRAL AS FOLLOWS

The Senate has passed the following entitled bills in the passage of which it asks the concurrence of the House of Representatives:

SB 95, relative to revocation of hunting and fishing licenses. Fish & Game.

SB 99, providing for a ten day season for hunting deer with muzzle-loaders. Fish & Game.

#### FURTHER SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 98, relative to absentee voting in municipal elections in Nashua.

HB 156, increasing fees of agents for issuance of fish and game licenses.

HB 232, authorizing the director to make regulations relative to importing or releasing wild life in this state.

HB 298, relative to procedure for annexation of a school district to a cooperative school district.

HB 307, defining a handicapped child.

HB 334, relative to application of old age and survivors insurance relative to officials of political subdivisions.

## FURTHER SENATE MESSAGE

The Senate refuses to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives.

HB 76, to eliminate restrictions on the denominations of county bonds.

## FURTHER SENATE MESSAGE

The Senate concurs with the House of Representatives in the passage of the following bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

**HB 102**

to authorize town treasurers to appoint deputy town treasurers.

Amend the bill by striking out section 3 and inserting in place thereof the following:

3 Effective Date. This act shall take effect upon its passage.

\* \* \*

On motion of Rep. Hanson the House concurred in the Senate amendment.

## FURTHER SENATE MESSAGE

The Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

**HB 327**

relative to toll-free use of certain New Hampshire highways by members of the General Court and granting an easement to use part of Highway 25 in Center Harbor.

## AMENDMENT

Amend the title of the bill by inserting at the end thereof the following: (and granting an easement to use part of highway 25 in Center Harbor.) so that said title, as amended, shall read as follows:



## AN ACT

relative to toll-free use of certain New Hampshire highways by members of the general court and granting an easement to use part of highway 25 in Center Harbor.

Amend section 1 of the bill by striking out the last four words thereof which read "while on legislative business" so that said section, as amended, shall read as follows:

1 Eastern New Hampshire Turnpike. Amend RSA 256 by inserting after section 8-a as inserted by 1963, 97:3 the following new section: 256:8-b Exemption from Tolls. Upon proper identification any elected member of the general court during his term of office shall be granted toll-free use of any section of the eastern New Hampshire turnpike.

Amend section 2 of the bill by striking out the last four words thereof which read "while on legislative business" so that said section, as amended, shall read as follows:

2 Central New Hampshire Turnpike. Amend RSA 257 by inserting after section 7 the following new section: 257:7-a Exemption from Tolls. Upon proper identification any elected member of the general court during his term of office shall be granted toll-free use of any section of the central New Hampshire turnpike.

Amend section 3 of the bill by striking out the same and inserting in place thereof the following:

3 Use of Route 25 in Center Harbor. Richard E. and Geraldine V. Tower of Lees Mill Road, Moultonboro, New Hampshire, their heirs, successors, and assigns, are hereby given and granted an easement to use, for the purpose of parking motor vehicles by themselves and by the public, that portion of the right of way of New Hampshire route 25 owned by the state, without any barriers or fences being erected on or on the boundaries thereof, approximately one quarter of a mile westerly of the center of the town of Center Harbor bounded as follows: on the East by the Westerly line of the land of said Richard E. and Geraldine V. Tower, said line being two hundred and seventy-nine feet, more or less and being the Easterly line of said right of way on the South by a line which is an extension Westerly of the Southerly line of said land of said Richard

E. and Geraldine V. Tower and starting at the Southwesterly corner of said land to a point thirty feet from the center line of New Hampshire route 25; on the West by a line parallel to said center line to a point in a line which is an extension West-erly of the Northerly line of said land of Richard E. and Ger-aldine V. Tower, said line being two hundred and seventy-nine feet, more or less; on the North by the line which is the Westerly extension of the Northerly line of said land of said Towers.

Further amend the bill by renumbering the original sec-tion 3 to read section 4.

\* \* \*

At the request of Rep. Stafford the Clerk read the Senate amendment in full.

Rep. Stafford moved that the House concur in the Senate amendment and spoke in favor of the motion.

(discussion ensued)

#### PERSONAL PRIVILEGE

Rep. Trowbridge rose on a point of personal privilege.

Rep. Williamson spoke against the motion.

(discussion ensued)

Rep. Mackintosh requested that his committee be given an opportunity to review the bill.

Rep. MacDonald moved that the House concur in the Senate amendment.

Rep. Alice Davis spoke against the motion.

Rep. Robert Dion spoke in favor of the motion.

(discussion ensued)

Rep. Newell moved that HB 327 with Senate amendment be committed to Legislative Revision for further study and recommendation as to whether the House should or should not concur with the Senate amendment and spoke in favor of the motion.

Reps. Stevenson and Trowbridge spoke against the motion.

(discussion ensued)

Rep. Urie spoke against the motion.

### PARLIAMENTARY INQUIRY

Rep. O'Neil rose on a point of parliamentary inquiry.

The Chair stated the present motion to recommit would take precedence over the original motion to concur. If recommitment loses the motion on the floor would be to concur. If a committee of conference is adopted the Chair would appoint Reps. Trowbridge, Newell and Coutermarsh as conferees on the part of the House.

\* \* \*

Rep. Stafford spoke against the motion to recommit.

Rep. Newell withdrew his motion upon the condition that Rep. Stafford would withdraw his motion.

The Chair stated the member cannot withdraw his motion conditionally.

Rep. Newell withdrew his motion.

Rep. Stafford withdrew his motion.

Rep. Stevenson moved that the House non-concur in the Senate amendments and that a committee of conference be appointed.

Rep. Mackintosh spoke in favor of the motion.

The question now being on the motion that the House non-concur in the Senate amendments and that a committee of conference be appointed.

On a vote the Chair was in doubt and requested a division.

### PARLIAMENTARY INQUIRY

Rep. MacDonald rose on a point of parliamentary inquiry.

The motion to non-concur and set up a committee of conference being manifestly in the affirmative the Chair appointed Reps. Trowbridge, Newell and Coutermarsh as conferees on the part of the House.

Rep. Eaton moved the adoption of the following motion:

I move that the Motion made and passed on Thursday, February 27, printed on page 730 of that day's Journal, relative to payment of mileage for Tuesday and Wednesday, February 25th and 26th respectively, and relative to other matters, be rescinded by striking out the same and the following be adopted in place thereof:

That each member of the House who presents evidence to the satisfaction of the mileage committee of his actual attendance either at the legislative session of Tuesday, February 25, or on official business of the House in Concord, duly authorized by the presiding officer, on Tuesday, February 25, or on Wednesday, February 26, or both, shall be allowed his legislative mileage for said days; and

That the convening of the House at eleven o'clock on Thursday, February 27, was, and is hereby declared to be, a valid and legal convening thereof; and

That the House hereby adopts, validates, and legalizes the action of the Speaker in refusing to convene on Wednesday, February 26th; and

For the purpose of attendance records only, no member of the House shall be recorded as absent for either Tuesday or Wednesday, February 25th or February 26th.

(discussion ensued)

#### PARLIAMENTARY INQUIRY

Rep. McMeekin rose on a point of parliamentary inquiry.

#### PARLIAMENTARY INQUIRY

Rep. Logan rose on a point of parliamentary inquiry.

#### PARLIAMENTARY INQUIRY

Rep. Vachon rose on a point of parliamentary inquiry.

Rep. Maloomian spoke against the motion.

Rep. Nixon spoke in favor of the motion.

(discussion ensued)

## PARLIAMENTARY INQUIRY

Rep. Shirley rose on a point of parliamentary inquiry.

Rep. Bernard spoke against the motion.

The question being on the motion of Rep. Eaton.

Motion adopted by vv.

## PARLIAMENTARY INQUIRY

Rep. Williamson rose on a point of parliamentary inquiry.

\* \* \*

## RECONSIDERATION

Rep. Reddy, having voted with the majority, moved that the House reconsider its action whereby it killed HB 317, relative to publication of the names of delinquent children who committed a second offense, and spoke in favor of the motion.

Motion adopted by vv.

Rep. Jennie Bennett moved that HB 317 ought to pass and spoke in favor of the motion.

Rep. Reddy moved to lay HB 317 on the table.

Motion adopted by vv.

## RECONSIDERATION

Rep. Elmer Johnson, having voted with the majority, moved that the House reconsider its action whereby it killed HCR 6, regarding Federal pay raises, and spoke in favor of the motion.

Rep. Lawton spoke in favor of the motion.

Rep. James Allen moved that HCR 6 be indefinitely postponed and spoke in favor of the motion.

(discussion ensued)

Reps. Mackintosh and Stafford spoke in favor of the motion.

Rep. Wilfred Boisvert called for the previous question and it was sufficiently seconded.

The question being, shall the main question now be put.

Motion adopted by vv.

The question now being on the motion that HCR 6 be indefinitely postponed.

Motion adopted by vv.

## RECESS

### AFTER RECESS

### SENATE MESSAGE

The Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill:

HB 47, to allow greater flexibility in the use of funds appropriated for constructing and equipping a health training center at the State Technical Institute and the President appointed as members of said Committee on the part of the Senate: Sens. Gilman, Provost.

The Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill:

HB 327, relative to toll-free use of certain New Hampshire highways by members of the general court and granting an easement to use part of highway 25 in Center Harbor and the President has appointed as members of said Committee on the part of the Senate: Sens. Armstrong, Lamontagne.

The Chair announced that, Rep. Milburn Roberts being unable to serve on the Committee of Conference on HB 47 he appointed Rep. Roger Smith to take his place.

## COMMITTEE REPORTS CONTINUED

### HB 332

redefining earnable compensation under the teachers' retirement system. Ought to pass. Rep. Weeks for Appropriations.

Ordered to third reading by vv.

### HJR 37

providing additional appropriation for the tax commission. Ought to pass. Rep. Drake for Appropriations.

Ordered to third reading by vv.



**HB 318**

relative to dates of service in World War I for qualifying for veterans property exemptions. Inexpedient to legislate. Rep. Mousseau for Claims, Military and Veterans Affairs.

Resolution adopted by vv.

**HB 363**

repealing the exemption from poll taxes for persons in military service during World War II. Ought to pass. Rep. Mousseau for Claims, Military and Veterans Affairs.

At the request of Rep. Vachon, Rep. Greenwood explained the bill.

Ordered to third reading by vv.

**CA-CR 14**

proposing constitutional amendment relating to: The Power of the State to Tax. That it be referred to Legislative Council. Rep. Sherman for Constitutional Revision.

Rep. Raiche moved that CA-CR 14 be recommitted to Constitutional Revision and spoke in favor of the motion.

Rep. Coutermarsh spoke in favor of the motion.

Motion adopted by vv.

**HB 308**

relating to bond issuing procedures of cooperative school districts. Inexpedient to legislate. Rep. Dunham for Education.

Resolution adopted by vv.

**SJR 7**

establishing a fact-finding panel. Ought to pass. Rep. Shindlecker for Statutory Revision.

At the request of Rep. Newell, Rep Shirley explained the committee report.

(discussion ensued)

Rep. McMeekin further explained the resolution.

(discussion ensued)

Ordered to third reading by vv.

**SB 50**

to prohibit the killing of seals, was withdrawn by committee.

**HB 111**

relative to actions against hospitals. Inexpedient to legislate; covered by HB 188. Rep. Frizzell for Judiciary.

Resolution adopted by vv.

**HB 253**

relative to the expenditure of funds in urban renewal programs. Inexpedient to legislate. Rep. Hanson for Municipal and County Government.

Rep. Merrill moved that the words "ought to pass with amendment" be substituted for the committee report "inexpedient to legislate" and spoke in favor of the motion.

**AMENDMENT**

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Expenditure Approval. Amend RSA 205 by inserting after section 12 as inserted by 1959, 52:3 the following new section: 205:13 Approval by Governing Body. Once a bond issue is voted by the city council or town meeting to finance their share of an urban renewal project, the housing authority shall not make any contract or expenditure which will obligate the city or town to provide funds in any amount that would be in excess of the bond issue without prior approval by the city council or town meeting.

\* \* \*

The Clerk read the amendment in full.

Rep. Hanson explained the reason for the committee report.

Rep. Tarr spoke in favor of the motion.

(discussion ensued)

Reps. Martin, O'Neil and Mackintosh spoke against the motion.

Rep. Carl Foster spoke in favor of the motion.

Rep. Maloomian moved that HB 253 be indefinitely postponed and spoke in favor of the motion.

Rep. Merrill moved that HB 253 be referred to Legislative Council for further study and spoke in favor of the motion.

Reps. O'Neil, Martin and Stafford spoke in favor of the motion.

Rep. Wilfred Boisvert moved the previous question and it was sufficiently seconded.

The question being, shall the main question now be put.

Motion adopted by vv.

The question now being shall HB 253 be referred to Legislative Council.

Motion adopted by vv.

### **HB 399**

establishing the office of state dog marshal and raising funds for the support therefor. Inexpedient to legislate. Rep. Stuart Allan for Municipal and County Government.

Resolution adopted by vv.

### **HB 326**

to reclassify certain sections of highways in the town of Campton. Ought to pass with amendment. Rep. McGee for Public Works.

## **AMENDMENT**

Amend section 3 of the bill by striking out the same and inserting in place thereof the following:

3 Effective Date. This act shall take effect July 1, 1969.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

### **HB 331**

relating to the improvement of Rye Harbor. Ought to pass.  
Rep. Arthur Mann for Public Works.

Rep. Logan moved that HB 331 be laid on the table.

Motion adopted by vv.

**HB 354**

directing the state to repair the bridge in Wilton on Route 31 which spans the Souhegan River. Inexpedient to legislate. Rep. Fortier for Public Works.

Resolution adopted by vv.

**HJR 46**

establishing an interim commission to study the laws of eminent domain and making an appropriation therefor. Ought to pass. Rep. Hackler for Public Works.

Referred to Appropriations under the Rules.

**HB 306**

relative to planning for the future development of Great Bay, and making an appropriation therefor. Ought to pass with amendment. Rep. Claffin for Resources, Recreation and Development.

**AMENDMENT**

Amend section 1 of the bill by striking out in line one after the word "The" the words "commissioner of the" by inserting in line two after the word "Authority" the following (the department of fish and game), and by striking out in lines fifteen and sixteen after the word "The" the words "commissioner of the" so that said section as amended shall read as follows:

1 Authorization. The department of resources and economic development, the New Hampshire State Port Authority, the department of fish and game, and the New Hampshire sea-coast regional development association, subject to the approval of the governor and council, are hereby authorized to prepare a comprehensive plan for the future development of Great Bay and the immediately adjoining territory. Such authorization shall provide for agreements between public and private agencies including state, federal and municipal, for assistance in connection with the development of the comprehensive plans. Such agreements may include the right to receive grants, aids or services as may be available from the federal government for the planning and development of Great Bay, and may include grants, aids or services from other public as well as private agencies or foundations. In the performance of the planning program hereunder and with prior approval of the governor

and council, contracts may be entered into for the employment of professional consultants for such services as are necessary to carry out the purposes and intent of this act. The department of resources and economic development may assign permanent or temporary employees of his department such additional duties on a temporary basis as he deems necessary to aid in carrying out the purposes and intent of this act.

Amend section 2 of the bill by inserting in line three after the word "authority" the following (the department of fish and game), by striking out in line nineteen after the word "highways" the words "fish and game department," and by striking out in line twenty-three after the word "a" the word "protion" and inserting in place thereof the word "portion" so that said section as amended shall read as follows:

2 Administration. The administration of the comprehensive plan for the future development of Great Bay shall be directed through the department of resources and economic development with assistance of the state port authority, the department of fish and game, and the seacoast regional development association; and such planning program shall be thoroughly coordinated with planning studies currently underway within the region. The scope of the plan for Great Bay shall give due consideration to the opportunities for the economic development of the state of New Hampshire and the seacoast region, the conservation and preservation of open space and wild life areas, the development of natural resources including the marine fisheries in Great Bay, and shall explore the further development of the public and private recreation industry potential in the vicinity of Great Bay and the adjacent communities. The planning program shall be coordinated with the department of resources and economic development, the university of New Hampshire, the Rockingham and Strafford rural areas development committees, the U. S. Army Corps of Engineers, the U. S. Departments of Agriculture, Interior, Commerce, Health, Education and Welfare, Housing and Home Finance Agency, and the General Services Administration. The planning program shall seek the active cooperation and the department of public works and highways, water supply and pollution control commission, water resources board, marine fisheries advisory commission the mayor and city council or board of selectmen in the adjacent municipalities and any other federal, state, county or local public or private agency having interest

in or jurisdiction over the future development of Great Bay or a portion thereof.

Amend section 3 of the bill by striking out in line 1 the word "thirty" and inserting in place thereof the word "fifteen" so that said section as amended shall read as follows:

3 Appropriation. The sum of fifteen thousand dollars is hereby appropriated to be expended by the department of resources and economic development for the purposes of the act, provided however, that none of the funds so appropriated shall be expended unless a like amount in cash or in services rendered or both shall have been paid or rendered by local or private agencies or the federal government or both. The governor is authorized to draw his warrant for the sum hereby appropriated out of any monies in the treasury not otherwise appropriated.

Amend section 4 of the bill by striking out said section and inserting in place thereof the following:

4 Interpretation. Nothing in this act shall be so construed as to modify in any way the provisions of RSA 211:65-70 relating to the division of marine fisheries of the department of fish and game.

Amend the bill by inserting after section 4 of the following new section:

5 Effective Date. This act shall take effect sixty days after its passage.

\* \* \*

Amendment adopted by vv. Referred to Appropriations under the Rules.

#### **HB 344**

exempting the Hampton Municipal Development Authority from the provision of the statute relative to excavating or dredging in tidal waters, was withdrawn by committee.

#### **HB 352**

providing for the election of county commissioners for the county districts of Rockingham county. Majority: Inexpedient to legislate. Rep. Gay for Rockingham County Delegation.



Minority: Ought to pass. Rep. Maynard, Quirk, Keefe, Splaine, Archie McEachern, Coussoule, Jameson, Greene, Hammond and Dorley.

Rep. Maynard moved that HB 352 be made a special order for 11:01 Thursday next and spoke in favor of the motion.

Motion adopted by vv.

### HB 227

to legalize greyhound racing in New Hampshire and to establish a state greyhound racing commission, was withdrawn by committee.

\* \* \*

Rep. Newell called for the special order for 11:01 on Resolution regarding budget procedures. Inexpedient to legislate. Rep. Drake for Appropriations.

At the request of Rep. Stafford, Rep. Newell answered a question.

At the request of Rep. Newell, Rep. Drake explained the reason for the committee report.

(discussion ensued)

Rep. Newell spoke in favor of the resolution.

The question being on the committee resolution, inexpedient to legislate.

Resolution adopted by vv.

\* \* \*

### HB 183

Rep. Urie called for the special order for 11:02 on HB 183, relative to acquisition of easements and lands as required for water pollution and water control. Ought to pass with amendment. Rep. Claflin for Resources, Recreation and Development.

### AMENDMENT

Amend RSA 31:92-a as inserted by section 1 of the bill by inserting in line five after the word "order" the following (provided a majority of the voters vote in favor of said acquisition at any regular or special town meeting called for the pur-

pose of taking action thereon) so that said section as amended shall read as follows:

31:92-a Water Pollution. Any town which shall have received an order by the water supply and pollution control commission under the provisions of RSA 147, 148, or 149 shall proceed forthwith to acquire whatever easements and lands as are necessary to comply with said order provided a majority of the voters vote in favor of said acquisition at any regular or special town meeting called for the purpose of taking action thereon, and may enter upon, for the purpose of survey leading to land description, any land within its limits. In so proceeding, the selectmen or other duly authorized agents shall institute any necessary land taking in accordance with the provisions of section 92 of this chapter and, anything contained in RSA 234 or in the statutes generally to the contrary notwithstanding, the decision of the selectmen of the town or towns in which such land or lands are situated shall not be vacated and any subsequent appeal or other action by the owner or owners shall be based solely on the amount of damages assessed, and the duly appointed agents of the town shall have full right of immediate entry for the purposes of detailed surveys, borings, or the conduct of any and all other actions necessary or desirable to aid the town in implementation of the order by said commission.

Amend RSA 38:14-a as inserted by section 2 of the bill by inserting in line six after the word "municipality" the following (In the case of cities, before the governing body shall act to acquire such easements or lands, it shall arrange for the conduct of a referendum which clearly sets forth the terms and purposes of said acquisition; further, the governing body may acquire land or easements therein under the terms of this chapter, only in the event of a majority referendum vote.) so that said section as amended shall read as follows:

38:14-a Water Control. Any municipality which shall have received an order by the water supply and pollution control commission under the provisions of RSA 147, 148 or 149 shall proceed forthwith, after a majority vote in favor thereof, by the governing body, to acquire whatever easements and lands as are necessary to comply with said order and may enter upon, for the purpose of survey leading to land description, any land within the municipality. In the case of cities, before the governing body shall act to acquire such easements or lands, it shall

arrange for the conduct of a referendum which clearly sets forth the terms and purposes of said acquisition; further, the governing body may acquire land or easements therein under the terms of this chapter, only in the event of a majority referendum vote. In so proceeding, the selectmen of the town, commissioners of the district, or mayor and aldermen of a city shall institute any necessary land taking in accordance with the provisions of sections 13 and 14 of this chapter and anything contained in RSA 234 or in the statutes generally to the contrary notwithstanding, the decision of the officials herein authorized to institute proceedings shall not be vacated and any subsequent appeal or other action by the owner or owners shall be based solely on the amount of damages assessed, and the duly authorized agents of the municipality shall have full right of immediate entry for the purposes of detailed surveys, borings, or the conduct of any and all other actions necessary or desirable to aid the municipality in the implementation of the order of said commission.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

\* \* \*

Reps. Robert B. Drew, Ralph W. Canney and Fred O. Tebbets of Farmington offered the following resolutions:

### RESOLUTIONS

*Whereas*, we have learned with regret of the death of Edward Mros, former Representative from Farmington, and

*Whereas*, Mr. Mros served his community faithfully and with efficiency, therefore be it

*Resolved*, that we, the members of the House of Representatives in General Court convened, do hereby extend our sympathy to his family, and be it further

*Resolved*, that a copy of these resolutions be transmitted to Mrs. Mros.

\* \* \*

Resolutions adopted by vv.

SENATE MESSAGE, INTRODUCTION OF SENATE  
BILLS AND REFERRAL AS FOLLOWS:

The following Senate Bills were read a first and second time and referred as follows:

SB 92, naming the Almont (Red) Watson civil defense training center and making appropriation for a plaque to be erected. Referred to Public Works.

SB 122, making an additional appropriation for fiscal 1969 for the Liquor Commission. Referred to Appropriations.

\* \* \*

FURTHER SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the concurrent resolution number 10.

FURTHER SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

HB 46, to prohibit motorboats on Big and Little Cherry Ponds in Jefferson.

\* \* \*

HB 331

Rep. Drake moved that HB 331, relating to the improvement of Rye Harbor, be removed from the table and spoke in favor of the motion and requested that it be referred to Appropriations.

Motion to remove from the table adopted by vv.

HB 331 referred to Appropriations under the Rules.

\* \* \*

On motion of Rep. Stafford the House adjourned from the early session and the Rules of the House were so far suspended as to permit reading of bills by title only, HJR by caption only, and that when the House adjourns today it be to meet tomorrow at 11:00 o'clock.

### LATE SESSION THIRD READINGS

The following House Bills and House Joint Resolution were read a third time, passed, and sent to the Senate for concurrence.

HB 332, redefining earnable compensation under the teachers' retirement system.

HJR 37, providing additional appropriation for the tax commission.

HB 363, repealing the exemption from poll taxes for persons in military service during World War II.

HB 326, to reclassify certain sections of highways in the town of Campton.

HB 183, relative to acquisition of easements and lands as required for water pollution and water control.

SJR 7, establishing a fact-finding panel, was read a third time, passed, and sent to the Secretary of State to be engrossed.

\* \* \*

### RECONSIDERATION

Rep. Clafin, having voted with the majority, moved that the House reconsider its action whereby it passed HB 183, relative to acquisition of easements and lands as required for water pollution and water control, and spoke against the motion.

Motion lost by vv.

\* \* \*

On motion of Rep. McLane the House adjourned at 4:07 P. M. in honor of Rep. Nixon's 37th birthday.

*Thursday, March 20, 1969*

The House met at 11:00 o'clock.

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

"Blessed are the merciful, for they shall obtain mercy."  
(Matthew 5:7)

We realize, O God, that we are finite beings standing in need of Thine infinite care. Thou hast poured upon us many blessings, too numerous to count, but without which we are nothing but dust. In loving-kindness Thou hast showered upon us Thy blessing of mercy, like a flood it overwhelms us, and like an island we are surrounded by Thy loving-grace. Help us, we beseech Thee, to prove our gratitude by receiving this blessing in trust and sharing such love and compassion with others. Remove all desires and thoughts of vengeance from our hearts and minds; enable us to cast out the poisons of hate, anger, jealousy, and bitterness from our bodies. May Thy great mercy which overlooks the little things and forgives the larger things guide us in our relationship with others. Let the quantity and quality of Thy mercy be seen in us and work through us today, O Loving Father. Amen.

#### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Pollock led the House in the Pledge of Allegiance to the Flag.

#### LEAVES OF ABSENCE

Reps. MacDonald and Vallee were granted leave of absence for the day on account of important business.

#### RESOLUTION

Rep. Logan offered the following resolution:

*Resolved*, that in accordance with the list in the possession of the clerk, House Bills numbered 525 through 542 shall be by this resolution read a first and second time by the therein



listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.

## INTRODUCTION OF HOUSE BILLS

The following bills were read a first and second time, laid on the table for printing and referred as follows:

HB 525, amending certain pension acts of the city of Manchester. (Sweeney of Hillsboro Dist. 36, Raiche of Hillsboro Dist. 34 — To Manchester Delegation.)

HB 526, to increase the compensation of the mayor and councilmen of the city of Rochester. (Levesque of Strafford Dist. 13, Berkey of Strafford Dist. 11 — To Rochester Delegation.)

HB 527, to provide for assistance to employees in the prosecution of third party actions in cases where workmen's compensation benefits have been received. (Nixon of Hillsboro Dist. 5 — To Labor, Human Resources & Rehabilitation.)

HB 528, establishing a commission to evaluate the advantages to the state of a New Hampshire stadium. (Logan of Sullivan Dist. 1, Cobleigh of Hillsboro Dist. 15 — To Executive Departments & Administration.)

HB 529, providing means for settlement of disputes between public employees and local governments, school districts or other political subdivisions. (O'Neil of Cheshire Dist. 12 — To Executive Departments & Administration.)

HB 530, relating to issuance of plates to motor vehicle dealers. (Bridges of Hillsboro Dist. 13 — To Transportation.)

HB 531, authorizing the transfer of state conservation officers from group I or from the employees' retirement system of the state of New Hampshire to group II in the New Hampshire retirement system. (Sterling of Hillsboro Dist. 2 — To Appropriations.)

HB 532, relative to the salary of the register of deeds for Strafford county. (Pray of Strafford Dist. 16 — To Strafford Delegation.)

HB 533, making planning and zoning boards mandatory for towns and cities whose population exceeds two thousand. (Tracey of Sullivan Dist. 6 — To Municipal & County Government.)

HB 534, relative to hunting on islands by certain disabled persons. (Thibeault of Hillsboro Dist. 33, LaFrance of Hillsboro Dist. 33, Rep. Welch of Merrimack Dist. 27 — To Fish & Game.)

HB 535, relative to identification cards for employees in establishments handling beverages and liquor. (Cousoule of Rockingham Dist. 28, Maynard of Rockingham Dist. 24 — To Liquor Laws.)

HB 536, authorizing towns to enter into agreements with other governmental units for refuse collection and disposal. (Allan of Belknap Dist. 2 — To Municipal & County Government.)

HB 537, relative to expenses of extinguishing fires and distribution of yield taxes from unincorporated places. (Allan of Belknap Dist. 2 — To Municipal & County Government.)

HB 538, relative to lighting the dock area at Hilton state park. (Murphy & Parnagian of Strafford Dist. 18 — To Resources, Recreation & Development.)

HB 539, relative to the manner and number of voter signatures required to allow presidential and vice presidential candidates to have names placed on primary ballot. (Sterling of Hillsboro Dist. 2 — To Statutory Revision.)

HB 540, relating to the squealing of automobile tires on the pavement. (Andrews of Merrimack Dist. 1 — To Transportation.)

HB 541, relative to increasing the membership of the advisory commission on health and welfare. (Reddy of Merrimack Dist. 5, York of Merrimack Dist. 20, Howard of Carroll Dist. 1, Goodrich of Rockingham Dist. 13 — To Executive Departments & Administration.)

HB 542, to incorporate New Hampshire Vision Service Corporation. (Smith of Merrimack Dist. 24, Cares of Hillsboro Dist. 24 — To Public Health, Welfare & Institutions.)

## COMMITTEE REPORTS

### HB 8

relative to the appointment of the director of legislative services. Ought to pass. Rep. Bell for Appropriations.

Ordered to third reading by vv.

### HB 83

relative to the legislative budget assistant. Ought to pass with amendment. Rep. George Roberts for Appropriations.

Rep. Mackintosh explained the bill.

Amendment lost by vv.

Rep. Weeks moved that HB 83 be recommitted to a joint committee composed of Appropriations and Legislative Revision.

## PARLIAMENTARY INQUIRY

Rep. Bednar rose on a point of parliamentary inquiry.

Motion adopted by vv.

### SB 29

creating a commission to study approved non-public school problems in the state. Ought to pass with amendment. Rep. Dunham for Education.

## AMENDMENT

Amend section 2 of the bill by striking out said section and inserting in place thereof the following:

2 Duties. The commission shall study among other things:  
(1) The desirability of maintaining a dual system of education;  
(2) the question of whether or not the state may give assistance, financial or otherwise, to the approved nonpublic schools of the state; (3) the number of approved nonpublic schools that may

be in danger of being forced to close in the near future due to lack of adequate financial support; (4) the impact that the closing of an approved nonpublic school will have on particular communities and their public school systems; and (5) the ways in which the state may help communities prepare for and solve the problems incident to the closing of an approved nonpublic school.

\* \* \*

Amendment adopted by vv. Referred to Appropriations under the Rules.

Rep. Raiche moved that the Rules of the House be so far suspended as to permit a public hearing on SB 29 without the two days' notice in the Journal and spoke in favor of the motion.

(discussion ensued)

Rep. Stafford spoke in favor of the motion.

Motion adopted by vv.

#### **HB 84**

relative to the fiscal committee. Ought to pass with amendment. Rep. Ballam for Appropriations.

Rep. Mackintosh moved that HB 84 together with the proposed amendment be referred to a joint committee on Appropriations and Legislative Revision and spoke in favor of the motion.

Motion adopted by vv.

#### **HB 305**

relating to revocation of powers of attorney regarding bank accounts. Ought to pass with amendment. Rep. Richard Smith for Banks and Insurance.

### **AMENDMENT**

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Bank Accounts. Amend RSA 384 by inserting after section 38 the following new subdivision:

## Powers of Attorney on Bank Accounts

384:39 Recognition and Termination. Any bank specified in RSA 384:29 doing business in this state may continue to recognize the power of an attorney-in-fact authorized in writing to make withdrawals either in whole or in part from the account of a depositor, whether minor or adult, until it receives written notice or is on actual notice of the revocation of his authority. For the purposes of this section, written notice of the death or adjudication of incompetency, or appointment of a guardian shall constitute written notice of revocation of the authority of his attorney. No such bank shall be liable for damages, penalty or tax by reason of any payment made pursuant to this section.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

**HB 470**

to amend the charters of Strafford Savings Bank and Cheshire County Savings Bank. Ought to pass with amendment. Rep. Leighton for Banks and Insurance.

**AMENDMENT**

Amend section 1 of the bill by striking out in line six the word "seven" and inserting in place thereof the word (fifteen) so that said section as amended shall read as follows:

1 Strafford Savings Bank. Amend section 5 of 1823, 36 by striking out the word "forty" wherever it appears in said section and inserting in place thereof the word (sixty) so that said section as amended shall read as follows: Section 5. And be it further enacted, that the number of members of said Corporation shall not exceed sixty at any one time; and any number not less than fifteen shall constitute a quorum for the transaction of business at the annual and other meetings of the members of said Corporation; provided such meetings shall have been duly notified in conformity to the by-laws of said Corporation; and provided, further, that said Corporation may, by its by-laws, require the attendance of one or more of its officers designated to constitute a quorum for the election of new members in addition to the number herein before prescribed.

Amendment adopted and the bill ordered to third reading by vv.

**HB 275**

requiring the establishment of a manufacturing engineering curriculum at the New Hampshire Technical Institute, and making an appropriation therefor. Ought to pass with amendment. Rep. Dunham for Education.

**AMENDMENT**

Amend the title of the bill by striking out the same and inserting in place thereof the following:

**AN ACT**

supporting the establishment of a manufacturing engineering curriculum at the New Hampshire Technical Institute, and making an appropriation therefor.

Amend the bill by striking out everything after the enacting clause and inserting in place thereof the following:

1 Appropriation. The sum of eight thousand dollars is hereby appropriated for the fiscal year ending June 30, 1970 and a like amount is appropriated for the fiscal year ending June 30, 1971 for the salary of an instructor to teach manufacturing engineering technology courses at the N. H. Technical Institute.

2 Appropriation. The sum of ten thousand dollars is hereby appropriated for additional equipment and supplies for the biennium ending June 30, 1971.

3 Effective Date. This act shall take effect July 1, 1969.

\* \* \*

Amendment adopted by vv. Referred to Appropriations under the Rules.

**HB 367**

establishing an additional trustee to the board of trustees at the University of New Hampshire. Inexpedient to legislate. Rep. Dunham for Education.

Resolution adopted by vv.



**HJR 42**

allowing the use of certain funds of the Nashua vocational-technical institute for purchasing maintenance equipment and outside vehicles. Ought to pass. Rep. Dunham for Education.

Ordered to third reading by vv.

**HJR 54**

making a special appropriation for payment in place of or in addition to foundation aid for the school year 1968-69 to the school districts of Greenville, Mason, New Ipswich, Rochester and Rollinsford. Ought to pass. Rep. Dunham for Education.

Referred to Appropriations under the Rules.

**HB 415**

establishing a minimum salary for full-time law enforcement officers and appropriating state aid therefor. Inexpedient to legislate. Rep. Shirley Clark for Executive Departments and Administration.

At the request of Rep. O'Neil, Rep. Shirley Clark explained the bill.

Rep. O'Neil spoke in favor of the committee report.

(discussion ensued)

Rep. Nixon moved that the words "ought to pass" be substituted for the committee report "inexpedient to legislate" and spoke in favor of the motion.

(discussion ensued)

Rep. Belanger moved that HB 415 be referred to Legislative Council.

Reps. Cochrane and Bednar spoke against the motion and in favor of the committee report.

Rep. Wilfred Boisvert spoke in favor of the committee report.

Rep. Cares spoke in favor of the motion.

(discussion ensued)

The question being on the motion that HB 415 be referred to Legislative Council.

Rep. Bridges spoke in favor of the committee report.

Rep. Elmer York spoke against the motion.

Rep. Maloomian moved the previous question and it was sufficiently seconded.

The question being, shall the main question now be put.

Motion adopted by vv.

The question now being shall HB 415 be referred to Legislative Council.

Motion lost by vv.

Rep. Nixon withdrew his motion that the words "ought to pass" be substituted for the committee report.

The question now being on the committee resolution.

Resolution adopted by vv.

#### **HB 10**

relative to registration and operation of snow traveling vehicles. Ought to pass with amendment. Rep. Zachos for Judiciary.

Rep. Zachos moved that HB 10 be made a special order for 11:01 Wednesday next.

Motion adopted by vv.

#### **HB 379**

relative to adulterated and misbranded foods, drugs, devices and cosmetics. Ought to pass. Rep. Normandin for Judiciary.

Ordered to third reading by vv.

#### **HB 265**

relative to foster care services for certain children and youth and making an appropriation therefor. Ought to pass with amendment. Rep. Merrill for Labor, Human Resources and Rehabilitation.

Rep. Cochrane moved that HB 265 be made a special order for Thursday, March 27th at 11:01.

Motion adopted by vv.

**HB 314**

relative to acquisition of sites for recreational facilities at Lake Winnepesaukee. Inexpedient to legislate. Rep. Claflin for Resources, Recreation and Development.

Resolution adopted by vv.

**HB 188**

relative to the statute of limitations on personal actions. Ought to pass with amendment. Rep. McMeekin for Statutory Revision.

**AMENDMENT**

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Four Year Statute of Limitations. Amend 508:4 by striking out said section and inserting in place thereof the following new section: 508:4 Personal Actions. Except as otherwise provided by law all personal actions may be brought within four years after the cause of action accrued, and not afterwards. This section shall not affect causes of action accrued prior to its effective date.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

**HB 396**

relative to printing statutes. Ought to pass. Rep. McMeekin for Statutory Revision.

Ordered to third reading by vv.

\* \* \*

Rep. Maynard called for the special order for 11:01.

HB 352, providing for the election of county commissioners for the county districts of Rockingham County. Majority: Inexpedient to legislate. Minority: Ought to pass.

Rep. Maynard moved that the report of the Minority: Ought to pass be substituted for the Majority resolution: Inexpedient to legislate, and spoke in favor of the motion.

Rep. Greene spoke in favor of the motion.

Rep. Scamman moved that HB 352 be indefinitely postponed and spoke in favor of the motion.

Reps. Splaine and Bowles spoke against the motion.

Rep. Julia White spoke in favor of the motion.

(discussion ensued)

The question being on the motion that HB 352 be indefinitely postponed.

Motion lost by vv.

The question now being on the motion that the words, "ought to pass" be substituted for the words "inexpedient to legislate".

Motion adopted by vv.

Ordered to third reading by vv.

\* \* \*

Rep. Morrill moved that the Rules of the House be so far suspended as to dispense with two days' notice of public hearing in the Journal on HB 467, relative to town appropriations for mass transportation service, and spoke in favor of the motion.

Rep. Raiche spoke in favor of the motion.

Motion adopted by vv.

\* \* \*

## SENATE MESSAGE

The Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 133, prohibiting motorboats on Willard Pond in Antrim.

## AMENDMENT

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Willard Pond. Amend RSA 486 by inserting after section 7 as inserted by 1967, 223:2 the following new section: 486:8 Willard Pond. On or after July 1, 1969, no person shall use or operate any motorboat or other boat equipped with an outboard motor on the waters of Willard Pond in the town of Antrim. Whoever violates any of the provisions of this section shall be fined not more than fifty dollars.

Rep. Claffin moved that the House non-concur in the Senate amendment and that a committee of conference be appointed.

Motion adopted by vv.

The Chair appointed Reps. Daloz, Oleson and Danielchik as conferees on the part of the House.

\* \* \*

Reps. Logan and Raiche offered the following resolution:

*Resolved*, that the House order of business be changed by inserting "Messages from the Senate" after "Introduction of Bills."

Motion adopted by vv.

\* \* \*

## INTRODUCTION OF BILLS

HB 543, making appropriations for capital improvements. To Public Works.

\* \* \*

## RESOLUTIONS

Reps. C. Dean Shindledecker, Herbert A. Casassa and John J. Ratoff offered the following resolutions.

## RESOLUTIONS

*Whereas*, we have learned with deepest sorrow of the passing of Douglas E. Hunter, Sr., former State Senator and former Representative from Hampton, and

*Whereas*, Mr. Hunter served long and faithfully the needs of his state, county and community always advancing the in-

terests of the people whom he served before personal obligations, therefore be it

*Resolved*, that we, the members of the House of Representatives in General Court convened do hereby pay homage to the memory of Mr. Hunter and extend our sympathy to his family, and be it further

*Resolved*, that a copy of these resolutions be transmitted to Mrs. Hunter.

\* \* \*

Resolutions adopted by vv.

### RESOLUTIONS

Reps. Donald J. Welch, Herbert A. Casassa, and Cleon E. Heald offered the following resolutions.

### RESOLUTIONS

*Whereas*, Arthur L. Petell, Jr., Superintendent of Buildings and Grounds and his staff, worked beyond the call of duty in a dedicated effort to assist the legislative committee assigned to the responsibility of assigning committee rooms and supplying furnishings, therefore be it

*Resolved*, that we, the members of the House of Representatives in General Court convened, do hereby take recognition of the services performed by Arthur L. Petell, Jr. and his staff, and we express our sincere thanks and gratitude to them, and be it further

*Resolved*, that a copy of these resolutions be transmitted to them.

\* \* \*

Resolutions adopted by vv.

\* \* \*

On motion of Rep. O'Neil the House adjourned from the early session and the Rules of the House were so far suspended as to permit reading of bills by title only, HJR by caption only, and that when the House adjourns today it be to meet Tuesday next at 11:00 o'clock.



### LATE SESSION RECONSIDERATION

Rep. Ferguson, having voted with the majority, moved that the House reconsider its action whereby it ordered HJR 42 to a third reading and spoke in favor of the motion.

Motion adopted by vv.

The Chair referred HJR 42 to Appropriations under the Rules.

### THIRD READINGS

The following House Bills were read a third time, passed, and sent to the Senate for concurrence.

HB 8, relative to the appointment of the director of legislative services.

HB 305, relating to revocation of powers of attorney regarding bank accounts.

HB 470, to amend the charters of Strafford Savings Bank and Cheshire County Savings Bank.

HB 188, relative to the statute of limitations on personal actions.

HB 379, relative to adulterated and misbranded foods, drugs, devices and cosmetics.

HB 396, relative to printing statutes.

HB 352, providing for the election of county commissioners for the county districts of Rockingham County.

\* \* \*

### RECONSIDERATION

Rep. Maynard, having voted with the majority, moved that the House reconsider its action whereby it passed HB 352 and spoke against the motion.

Motion lost by vv.

### RECONSIDERATION

Rep. Claffin, having voted with the majority, moved that

the House reconsider its action whereby it killed HB 314, and spoke against the motion.

Motion lost by vv.

\* \* \*

Rep. Shirley Clark moved that the order whereby HB 488, relating to the licensing of auctioneers, and SB 22, to provide for the permissive registration of professional foresters, were referred to Executive Departments and Administration be vacated and referred to Constitutional Revision.

Motion adopted by vv.

\* \* \*

#### COMMITTEE CHANGE

Rep. Capistran — Judiciary and Legislative Revision.

Rep. Radway — Constitutional Revision.

On motion of Rep. James Allen the House adjourned at 12:52 P. M.

---

*Tuesday, March 25, 1969*

The House met at 11:00 o'clock.

(Rep. O'Neil in the Chair)

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

"Blessed are the pure in heart, for they shall see God."  
(Matthew 5:8)

Only as we become attached to Thy Divine Purpose, O God, laying aside all weights of selfishness and avoiding all distractions that would limit our service, only as we give ourselves to honest and true causes can we find Thee. How happily we can be when sincerity possesses us and prompts us to loving action. How completely blessed we are when Thy light of wisdom shines through the darkness of doubt and indecision, surg-

ing through our lives, ever guiding us in the right direction. Purify our hearts from conflicting loyalties and second-rate claims, keep our minds from being side-tracked by lesser issues, may we be alert to every challenge that would mar our liberty and weaken our freedom. May our deeds today reflect our faith in Thee. Amen.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Adams led the House in the Pledge of Allegiance to the Flag.

### INTRODUCTION OF GUESTS

The Chair introduced the Choir from the Laconia State School under the direction of Mr. Child, courtesy of Rep. Cleon Heald for the Committee on Public Health, Welfare and State Institutions, who entertained the House with several selections.

### LEAVES OF ABSENCE

Reps. Wallin, McGee and Logan were granted leave of absence for the day on account of illness.

Rep. Carl Foster was granted leave of absence for today and tomorrow on account of important business.

Reps. Poliquin, Reddy and Radway were granted leave of absence for the week on account of important business.

### PETITIONS

Rep. Newell offered the following petition.

Motion by the member from Concord, Mr. Newell concerning the record of amendments in the Journal:

That the clerk be ordered to record in the Journal of the House of Representatives all amendments to bills and resolves until the House shall otherwise order, and that the proposed amendment to HB 83 which amendment lost by voice vote on Thursday, March 20, 1969, be recorded in the permanent or final printing of the Journal of that day in the place where it was reported.

The Chair referred the petition to Rules.

Rep. Newell offered the following petition.

Motion by the member from Concord, Mr. Newell:

That the proposed House Rule 59, recorded on page 943 of the first printing of the Journal of the House for March 13, 1969, and having to do with reports of committees of conference, be placed upon the calendar for consideration of this rule and another proposed House Rule 59 having to do with consent calendar days as a special order of business at 11:02 on Wednesday, March 26.

The Chair referred the petition to Rules.

### RESOLUTION

Rep. Bigelow offered the following resolution:

*Resolved*, that in accordance with the list in the possession of the clerk, House Bills numbered 544 through 553 and House Joint Resolution numbered 59 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.

### INTRODUCTION OF BILLS

The following bills and joint resolution were read a first and second time, laid on the table for printing and referred as follows:

HB 544, amending the hawkers and peddlers statute to include home repair salesmen. (Frizzell of Sullivan Dist. 7 — To Statutory Revision.)

HB 545, relative to the salary of the register of deeds for Hillsboro county. (Keeney of Hillsboro Dist. 23, Barker of Hillsboro Dist. 15 — To Hillsboro Delegation.)

HB 546, relative to organized time trials for motor vehicles on certain public highways. (Welch of Merrimack Dist. 27 — To Transportation.)

HB 547, abolishing capital punishment except for murder of an officer of the state prison or county house of correction

or of a law enforcement officer. (Bowles of Rockingham Dist. 25, Martin of Belknap Dist. 8 — To Judiciary.)

HB 548, relating to the retirement of judges of the probate courts who are permanently disabled. (Nixon of Hillsboro Dist. 5 — To Judiciary.)

HB 549, relating to arrest without a warrant. (Martin of Belknap Dist. 8 — To Judiciary.)

HB 550, relating to reasonable compensation of counsel who represent indigent defendants in criminal cases. (Sayer of Rockingham Dist. 7 — To Judiciary.)

HB 551, relative to the entry of judgments. (Zachos of Hillsboro Dist. 27 — To Judiciary.)

HB 552, to enlarge the equitable powers of the superior court with reference to attachment of or levy upon securities. (Andrews of Merrimack Dist. 1 — To Judiciary.)

HB 553, authorizing wiretapping and eavesdropping in certain cases. (Healy of Hillsboro Dist. 32 — To Judiciary.)

HJR 59, providing for a study of the economic potentials and development problems of Mount Sunapee state park. (Williamson of Sullivan Dist. 9 — To Resources, Recreation & Development.)

#### SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

HB 220, relative to power of McIntosh College, Inc., to grant degrees.

HB 170, relative to tax exemption for totally disabled veterans.

HB 193, relative to the procedure for claiming veterans' property tax exemptions.

HJR 15, in favor of Madeline F. Fairbanks.

HJR 22, in favor of Alice V. Flanders.

HJR 26, in favor of Thomas Binmore.

## SENATE MESSAGE, INTRODUCTION OF SENATE BILLS AND REFERRAL TO COMMITTEE

The Senate has passed the following entitled bills in the passage of which it asks the concurrence of the House of Representatives:

SB 97, relative to the possession of unregistered deer. To Fish & Game.

SB 108, establishing an interim commission to study problems associated with the conversion from open dumps to other means of public disposal of refuse. To Executive Departments & Administration.

## COMMITTEE REPORTS

### HB 398

relative to accident and health insurance of physically and mentally handicapped dependents. Ought to pass with amendment. Rep. Antoinette B. Roy for Banks and Insurance.

## AMENDMENT

Amend section 1 of the bill by striking out in line fourteen the word "coverted" and inserting in place thereof the word (converted) so that said section as amended shall read as follows:

1 Group or Blanket Policy Provisions. Amend RSA 415:18 by inserting after paragraph IV the following new paragraph: V. The coverage of any dependent of any employee or member of the group insured by such policy, pursuant to paragraph IV, who is mentally or physically incapable of earning his own living on the date as of which such dependent's status as a covered family member would otherwise expire because of age, shall continue under such policy while such policy remains in force or is replaced by another group or blanket policy as long as such incapacity continues and as long as said dependent remains chiefly financially dependent on the employee or member of the group or the employee or his estate is chargeable for the care of said dependent, provided that due proof of such incapacity is received by the insurer within thirty-one days of such expiration date. If such coverage is continued in accordance with this paragraph, such dependent shall be entitled upon



the termination of such incapacity to a converted policy in accordance with and subject to the terms and conditions of the conversion privilege clause if such privilege is afforded by the policy, provided that such dependent has not attained the limiting age, if any, for coverage of adults specified in the policy.

Amend section 5 of the bill by striking out the same and inserting in place thereof the following:

5 Effective Date. This act shall take effect one hundred twenty days after its passage and shall apply only to all new contracts delivered or issued for delivery within this state thereafter.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

#### **HJR 48**

in favor of Robert Brodeau. Inexpedient to legislate. Rep. Mousseau for Claims, Military and Veterans Affairs.

Resolution adopted by vv.

#### **CA-CR 17**

relative to the size of the House of Representatives. Inexpedient to legislate. Rep. Wuelper for Constitutional Revision.

Rep. Cares moved that the words "ought to pass" be substituted for the committee report "inexpedient to legislate" and spoke in favor of the motion and subsequently withdrew his motion.

Rep. Chase explained the committee resolution.

At the request of Rep. Aucella, Rep. Cares answered questions.

Resolution adopted by vv.

#### **HB 280**

relative to a school of social work at the university. Ought to pass with amendment. Rep. Dunham for Education.

## AMENDMENT

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 University. Amend RSA 187:4 as amended by 1961, 46:1 by inserting in line two after the word "economics" the words (and may include a school of social work) so that said section as amended shall read as follows: 187:4 — Departments. The university shall also include a college of technology, a college of liberal arts, a school of business and economics, and may include a school of social work, and such schools, departments, and divisions, as are consistent with such organization, and such other colleges, schools, departments or divisions as the legislature may authorize.

\* \* \*

Amendment adopted by vv. Referred to Appropriations under the Rules.

**HB 479**

increasing the salaries of the Grafton county commissioners. Ought to pass. Rep. Phil A. Bennett for the Grafton Delegation.

Ordered to third reading by vv.

**HB 320**

relating to community mental health programs and state aid therefor. Ought to pass with amendment. Rep. Knight for Labor, Human Resources and Rehabilitation.

## AMENDMENT

Amend section 2 of the bill by inserting in line thirteen after the number "(5)" the word (psychiatric) so that the said section, as amended, shall read as follows:

2 Grants to Appropriate Agencies. Amend RSA 126-B:2 (supp) as inserted by 1965, 185:1 by striking out the section and inserting in place thereof the following new section: 126-B:2 State Grants. The commissioner of health and welfare, within the funds appropriated or made available therefor, is hereby authorized to make grants to assist cities, counties, towns or nonprofit corporations in the establishment or operation of local mental health programs to provide the following services:

(1) diagnostic and treatment services, (2) consultative services to schools, courts, health and welfare agencies, and other appropriate agencies or groups, (3) informational and educational services to the general public, and lay and professional groups, (4) collaborative and cooperative services with public health and other groups for programs for prevention of mental illness, (5) psychiatric rehabilitative services.

\* \* \*

Amendment adopted by vv.

At the request of Rep. Mackintosh, Rep. Knight explained the bill.

(discussion ensued)

Referred to Appropriations under the Rules.

#### **HB 337**

relative to the continuation of the Spaulding Turnpike to Berlin and making an appropriation therefor. Inexpedient to legislate. Rep. Trowbridge for Public Works.

Resolution adopted by vv.

#### **HB 353**

relative to hospital directional signs on certain highways. Ought to pass with amendment. Rep. Raymond for Public Works.

### **AMENDMENT**

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Hospital Directional Signs. Amend RSA 229 by inserting after section 14 the following new section: 229:14-a Hospital Directional Signs. The commissioner is authorized and directed to erect on any class I, class II or interstate highway under his jurisdiction, reflective directional signs designating the route or exit to the nearest general hospital. Such signs shall be erected in those locations as the commissioner, after consultation with the local authorities, may determine to be in the best public interest, provided, the local authority gives adequate assurance to the commissioner that suitable hospital signs will be erected within the local jurisdiction at local expense as a continuation of the hospital directional signs erected hereunder. The cost

for the signs and erection of such signs shall be a charge upon the highway fund.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

### HB 368

relative to highway relocation assistance. Ought to pass with amendment. Rep. Claude Foster for Public Works.

### AMENDMENT

Amend RSA 233-A:3, III (b) as inserted by section 1 of the bill by striking out in line seven the word "moves" and inserting in place thereof the words (is displaced) so that said subparagraph as amended shall read as follows:

(b) is not part of a commercial enterprise having at least one other establishment, not being acquired by the state or by the United States, which is engaged in the same or similar business. For the purposes of this paragraph, the term "average annual net earnings" means one-half of any net earnings of the business or farm operation, before income taxes, during the two taxable years immediately preceding the taxable year in which such business or farm operation is displaced from the real property acquired for such project, and includes any compensation paid by the business or farm operation to the owner, his spouse, or his dependents during such two-year period.

Amend RSA 233-A:4 as inserted by section 1 of the bill by inserting after paragraph II the following new paragraphs:

The schedule shall be prepared on either a state-wide basis or on an area basis and may be revised from time to time by the

III. The commissioner is further authorized to prepare a schedule of payments of grants for replacement housing under the provisions of Paragraph I of this section. The schedule shall define the maximum grant allowable for certain graduations of the fair market value of real property acquired for a project. commissioner as required. The schedule and/or revisions to the schedule shall be approved by the authorized representative of the secretary of transportation prior to issuance. The payment schedule for each project shall be introduced and made a part

of the record of the public hearing — (design) for the project. All grants for replacement housing under paragraph I of this section shall be in accordance with the established schedule.

IV. Every owner shall have the right of appeal to the commissioner for redress if he believes that the payment computed under paragraphs I or II of this section is not in accordance with the purposes of this act. The commissioner or his agent may review the appeal and for good cause may approve such additional payment as justice may require. The commissioner's decision in each case shall be final.

Amend RSA 233-A:8, II as inserted by section 1 of the bill by striking out in line two the word "extend" and inserting in place thereof the word (extent) so that said paragraph as amended shall read as follows:

II. to assure that, within a reasonable period of time, prior to displacement there will be available, to the extent that can reasonably be accomplished, in areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and individuals displaced, housing meeting the standards established by the secretary of transportation, for decent, safe, and sanitary dwellings, equal in number to the number of, and available to, such displaced families and individuals and reasonably accessible to their places of employment;

Amend the bill by striking out section 3 and inserting in place thereof the following:

3 Effective Date. This act shall take effect August 23, 1968.

\* \* \*

At the request of Rep. Williamson, Rep. Trowbridge explained the bill.

(discussion ensued)

Amendment adopted by vv. Referred to Appropriations under the Rules.

#### HJR 44

relative to a special joint committee to study the management and use of state-owned motor vehicles. Ought to pass. Rep. Arthur Mann for Public Works.

Ordered to third reading by vv.

**HB 227**

to legalize greyhound racing in New Hampshire and to establish a state greyhound racing commission. Inexpedient to legislate. Rep. McGrail for Ways and Means.

Rep. Ratoff moved that the words "ought to pass" be substituted for the committee report "inexpedient to legislate" and spoke in favor of the motion.

Reps. Belanger and Antoinette Roy spoke in favor of the motion.

(discussion ensued)

Rep. Scamman spoke against the motion.

Rep. Nixon moved that HB 227 be indefinitely postponed and spoke in favor of the motion.

Reps. Robert Dion and Raiche spoke against the motion.

Rep. Elmer Johnson spoke in favor of the motion.

Rep. Morrill spoke against the motion.

(discussion ensued)

**RECESS****AFTER RECESS**

The question being on the motion that HB 227 be indefinitely postponed.

Reps. Shirley Clark, Cares, Hayes and Bridges spoke against the motion.

(discussion ensued)

Rep. Coutermarsh spoke in favor of the motion.

Rep. Wilfred Boisvert moved the previous question and it was sufficiently seconded.

The question being, shall the main question now be put.

Motion adopted by vv.

Rep. Cate requested the yeas and nays, seconded by Rep. Bridges.

The question being on the motion that HB 227 be indefinitely postponed.



## PARLIAMENTARY INQUIRY

Rep. Bridges rose on a point of parliamentary inquiry.

## ROLL CALL

YES: 192

HB 227

MERRIMACK COUNTY: Sherman, Enright, Robinson, Bartlett, Avery, Kopperl, Bent, Burleigh, Greeley, Mattice, York, Edward H., Davis, Alice, Henry, Cheney, Charles H., Sr., McLane, Phillips, MacDonald, Fuller, Glavin, Howard, C. Edwin, Newell, Chase, Lila S., Tarr.

ROCKINGHAM COUNTY: Fernald, Stimmell, Persson, Griffin, Gay, Kimball, Senter, Gelt, Morrison, White, George W., Sr., Palmer, Schwaner, Spollett, Cummings, Underwood, Goodrich, Sewall, Twardus, Scamman, Eastman, Gage, Varrill, Hamel, Randall, Anthony T., Cheney, George L., Fiske, Greene, Weeks, Keefe, Bowles, Dorley, Quirk, Osborn, White, Julia H., Cousoule.

STAFFORD COUNTY: Dawson, Morrow, Shirley, Tirrell, Malloomian, Rolfe, Berkey, Thompson, Barbara C., Vickery, Beaudoin, Levesque, Preston, Smith, Richard L., Clement, Tripp, Peabody, Raymond B., Leighton, Pray, Bernard, Webber, Fellows, Murphy, Peter J., Kinney, Parnagian, Richardson, Harriett W. B.

SULLIVAN COUNTY: Mackintosh, Angus, Campbell, Spaulding, Roma A., D'Amante, Coggeshall, Frizzell, Galbraith, Merrifield, Williamson.

BELKNAP COUNTY: Allan, Stuart B., Lawton, Nighswander, Roberts, George B., Mutzbauer, Head, Randlett, Stafford.

CARROLL COUNTY: Howard, Donald K., Remick, Davis, Dorothy W., Chase, Russell C., Fox.

CHESHIRE COUNTY: Churchill, Trowbridge, Allen, James F., Bennett, Jennie B., Johnson, Elmer L., Dunham, Hackler, Battenfeld, Walker, Drew, Harold F.

COOS COUNTY: Manning, A. George, Drake, Shute, Burns, Dubey, Fortier, Roy, Edgar J., Desilets, Studd, Gagnon, Parent, Thurston, Richardson, Mabel.

GRAFTON COUNTY: Gardner, Van H., Tilton, McMeekin, Anderson, Fayne E., Smith, Manson B., Merrill, Dudley, Bell, Mitchell.

HILLSBOROUGH COUNTY: Aucella, Sawyer, Brown, Knight, Poehlman, Weillbrenner, Nixon, Fortin, Heald, Philip C., Jr., Warren, Coburn, Bragdon, Brocklebank, Barker, Helen A., Cote, Margaret S., Coutermarsh, Lynch, Peabody, Arthur H., Loxton, Vanloan, Carmen, Carrier, Lang, Gardner, William J., Montplaisir, Murphy, Francis, Nyberg, Cote, Joseph, Dion, Leo L., Cullity, McDermott, Welch, John L., Betley, Manning, Thomas E., Walsh, Edward J., Casey, Lomazzo, O'Connor, Michael F., Leclerc, Bernier, Champagne, Chevrette, Delisle, Walsh, Michael P., O'Connor, James P., Sweeney, Clear, Storm, Nalette, Lesmerises, Burke, Grady, McGrail, Vachon.

#### NAYS: 163

MERRIMACK COUNTY: Andrews, Bigelow, Reed, Irene L., Hanson, Beauchesne, Gamache, Mousseau, Goff, Dempsey, Gilman, LaRoche, Welch, Alfred E., Michels, Cate, Horan, Howland, Sanders.

ROCKINGHAM COUNTY: Hall, Ormiston, Adams, Read, Maurice W., DeCesare, Morrill, Greenwood, Collishaw, Junktins, Ratoff, Shindledecker, Leavitt, Hammond, Maynard, McEachern, Archie D., Dame, McEachern, Joseph A., Jameson, Splaine, Bowlen, Croft.

STAFFORD COUNTY: Canney, Drew, Robert B., Tebbetts, Clark, Shirley M., Cochrane, Joncas, Habel, Chasse, Hebert, Dumais, Young, Torr.

SULLIVAN COUNTY: Gaffney, Rousseau, Omer A., Barrows, Downing, Saggiotes, Tracey.

BELKNAP COUNTY: Urie, Roberts, Charles B., Randall, Earle F., Wuelper, deBlois, Martin, Dearborn, Normandin, Prescott, Dulac, Foster, Claude W.

CARROLL COUNTY: Cox, Roberts, Milburn F., Hayes, Hickey, Claffin.

CHESHIRE COUNTY: Ballam, Johnson, Edward A., Forbes, Danielchik, Austin, Cournoyer, McGinness, Thompson, Wilard L., Tasoulas, Raymond, Pollock, Saunders, Callahan, Heald, Cleon E., Barker, Sheldon L., Moran.

COOS COUNTY: Huggins, Marsh, Noyes, Bushey, Hunt, O'Hara, Oleson, York, Elmer H., Brungot, Lemire, McCuin, Theriault.

GRAFTON COUNTY: Rich, Stevenson, Higgins, Brummer, Chamberlin, Bennett, Phil A., Dow, Duhaime, Roger M., Tremblay, Ellms, Blain, Hopkins, Buckman, Sears, Karsten.

HILLSBOROUGH COUNTY: Eaton, Sterling, Vallee, Daloz, Mann, Murray, Karnis, Carter, Ferguson, Bridges, Bouchard, Record, Belcourt, Laplante, Roland H., Lesage, Cote, Peter R., Drabinowicz, Mason, Desmarais, Lachance, Bouley, Chamard, Aubut, Dion, Robert A., Dubois, Sirois, Bissonnette, Bednar, Keeney, Cares, Roy, Antoinette B., Bruton, Barrett, Clancy, Lafrance, Thibeault, Campono, Derome, Raiche, Belanger, Goedecke, Nourie, Capistran, Levasseur, Allard, Lambert, La-vallee, Rousseau, Hector J.

### PAIRS

Rep. Johnson, William R. voting Yes paired with Rep. Spaulding, Kenneth voting No.

and the motion to indefinitely postpone HB 227 prevailed.

The Chair called for HB 291, HB 292, HB 324 and HJR 39 under Rule 56.

Rep. Trowbridge moved that a six day extension be granted on House Bills and HJR, and spoke in favor of the motion.

HB 291, increasing the appropriation for town road aid.

HB 292, increasing the appropriation for class V maintenance money.

HB 324, relative to the content of permits for driveway.

HJR 39, appropriating funds for surveying and reconstructing route U.S. 302 in Bartlett.

Motion adopted by vv.

The Chair called for HB 300, providing for salaries for sheriff and deputy sheriffs of Rockingham county, under Rule 56.

Rep. Morrill moved that a six day extension be granted on HB 300 under Rule 56 and spoke in favor of the motion.

Motion adopted by vv.

The Chair called for HJR 43, in favor of Ronald C. Broderick of Franconia, under Rule 56.

Rep. Greenwood moved that a six day extension be granted on HJR 43, under Rule 56.

Motion adopted by vv.

The Chair called for CA-CR 12, relating to Legal Voting Age under Rule 56.

Rep. Russell Chase moved that a six day extension be granted on CA-CR 12 under Rule 56 and spoke in favor of the motion.

Motion adopted by vv.

The Chair called for HB 319, increasing the salaries of classified employees, temporary and seasonal employees and making an appropriation therefor, under Rule 56.

Rep. Shirley Clark reported HB 319, ought to pass.

The Chair ordered HB 319 to be placed on the calendar for Thursday next.

The Chair called for special order on HB 244, to empower the Rockingham County Convention to set the salaries of certain county officers.

The question being on the adoption of the committee amendment.

#### AMENDMENT

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Rockingham County Attorney's Salary to be Set by County Convention. Amend RSA 7 by inserting after section 35 (supp) the following new section: 7:35-a Rockingham County Attorney. The annual salary of the Rockingham County Attorney shall be set by the Rockingham County Convention,

upon recommendation of the executive committee, at an annual rate which shall not be less than seventy five hundred dollars.

Amend section 4 of the bill by striking out the same and inserting in place thereof the following:

4 Rockingham County Commissioners' Salary to be Set by County Convention. Amend RSA 28 by inserting after section 28 (supp) the following new section: 28:28-a Rockingham County Commissioners. The annual salary of the Rockingham County Commissioners shall be set by the Rockingham County Convention upon recommendation of the executive committee at an annual rate which shall not be less than thirty five hundred dollars.

Amend section 5 of the bill by striking out the same and inserting in place thereof the following:

5 Rockingham County Sheriff. Amend RSA 104:29, II, (supp) as amended by 1967, 242:1 by striking out said paragraph and inserting in place thereof the following: II. In Rockingham the annual salary of the sheriff shall be set by the Rockingham County Convention, upon recommendation of the executive committee, at an annual rate which shall not be less than ninety five hundred dollars. Said salary shall be payment in full for all his services to the county. The county shall provide him with suitable transportation and he shall not be allowed the established rates for mileage allowable to other sheriffs. He shall be allowed reasonable expenses incurred during the performance of his duties and such expense shall be subject to the approval of a justice of the superior court. For the service of civil writs and other process which he may perform he shall collect the usual fees allowed for such services and mileage and shall pay over directly to the county treasurer all such fees and mileage charges at the end of each month. He shall in his annual report to the county commissioners report the number of civil writs and other process served and the total amounts collected in fees and mileage charges paid over to the treasurer during the calendar year.

Amend section 6 of the bill by striking out the same and inserting in place thereof the following:

6 Rockingham County Register of Deeds. Amend RSA 478:19, as amended by 1963, 201:1 by striking out said section

and inserting in place thereof the following: 478:19 Salary. The register of deeds for Rockingham county shall receive an annual salary to be set by the Rockingham County Convention, upon recommendation of the executive committee, at a rate which shall not be less than eighty five hundred dollars which shall be paid by the County of Rockingham.

Amend section 7 of the bill by striking out the same and inserting in place thereof the following new sections:

7 Rockingham County Treasurer. Amend RSA 29:14 (supp) as amended by 1955, 172:2, 247:3; 1957, 149:1; 1963, 8:1; 1965, 262:2; and 1967, 36:1 by striking out in line five the words "In Rockingham, fifteen hundred dollars" so that section as amended shall read as follows:

29:14 Salaries. The annual salaries of the treasurers of the several counties to be in full for their services and allowances of every kind, except as hereinafter provided, shall be as follows:

In Strafford, seven hundred fifty dollars.

In Belknap, five hundred dollars.

In Carroll, seven hundred fifty dollars.

In Merrimack, one thousand dollars.

In Hillsborough, twelve hundred dollars.

In Cheshire, four hundred dollars.

In Sullivan, five hundred dollars.

In Grafton, five hundred dollars.

In Coos, five hundred dollars.

To the foregoing sums shall be added a reasonable sum for all necessary expenses upon order of the county commissioners.

8 Rockingham County Treasurer's salary to be set by County Convention. Amend RSA 29 by inserting after section 14 (supp) the following new section: 29:14-a Rockingham County Treasurer. The annual salary of the Rockingham county treasurer shall be set by the Rockingham County Convention, upon recommendation of the executive committee, at an annual rate which shall not be less than fifteen hundred dollars.

9 Effective Date. This act shall take effect sixty days after its passage.

\* \* \*

The Clerk read the amendment in full.



Amendment adopted and the bill ordered to third reading by vv.

Rep. Coggeshall moved that CA-CR 4, establishing a four year term for governor and limiting any person to two consecutive terms, be made a special order for 11:01 Tuesday next and spoke in favor of the motion.

Motion adopted by vv.

\* \* \*

### SENATE MESSAGE

The Senate concurs with the House of Representatives in the passage of the following entitled bill with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 297, relative to general housekeeping changes in the laws concerning the state board of education.

### AMENDMENT

Amend section 3 of the bill by inserting in line three after the word "Establish" the word (reasonable) so that said section as amended shall read as follows:

3 Recognizing Non-public Schools. Amend RSA 186:11, XXIX by striking out said paragraph and inserting in place thereof the following: XXIX. Non-public Schools. Establish reasonable criteria for approving non-public schools for the purpose of compulsory attendance requirements, and upon request designate such schools which meet those criteria.

\* \* \*

The Clerk read the amendment in full.

On motion of Rep. Greene the House concurred in the Senate amendment.

### FURTHER SENATE MESSAGE

The Senate concurs with the House of Representatives in the passage of the following entitled bill with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 186, provide for biennial hearing before fish and game commission.

### AMENDMENT

Amend Section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Fish and Game Director, Powers of. Amend RSA 206:11 (supp) as amended by 1955, 32:1 and 1967, 16:1 by striking out said section and inserting in place thereof the following: 206:11 — Hearings as to. Once each biennium, on the odd numbered year, the director shall hold public hearings for the purpose of hearing testimony relative to changes in the fishing rules and regulations or upon any other subject with respect to his duties. Such hearing shall be held at the superior court house in Concord commencing at 10:00 a.m. on the first Monday in June, and at the superior court house at Lancaster on the following Friday commencing at 10:00 a.m. All suggested changes in the fishing rules and regulations proposed by the fish and game department, and any other suggested changes proposed by any person, or persons that the department may have knowledge of, shall be published at least twice in two newspapers having general circulation throughout the state, and in such other newspapers, magazines, or circulars as the director may deem desirable to appraise the public of the agenda, between the dates of May first and May thirtieth immediately prior to the public hearings. In order for the director with the approval of the commission, to promulgate rules and regulations changes under the authority conferred by this section, it shall be mandatory that the subject matter to be changed is to have appeared on the published agenda hereinbefore described. It shall be the duty of the members of the commission to be in attendance at such hearings. In the event of the illness of the director, or a majority of the commission not being present, or other unforeseen contingency, such hearings shall be adjourned or postponed. In the event of such adjournment or postponement, notice of the time of subsequent hearing shall be posted at such court house and given such other publicity as the director shall deem proper to give adequate notice thereof to interested parties. The director may in his discretion conduct other public or private hearings throughout the year upon petition of interested parties. At the biennial hearings held at Concord and Lancaster and at other public hearings that the director shall

hold in accordance with the provisions of this section, any person having any testimony to present which bears upon the power and authority of the director under the provisions of this title, shall be given full opportunity to be heard, and the director shall cause a complete stenographic record to be kept of all testimony taken.

\* \* \*

The Clerk read the amendment in full.

On motion of Rep. Robert Drew the House concurred in the Senate amendment.

### FURTHER SENATE MESSAGE

The Senate concurs with the House of Representatives in the passage of the following entitled bill with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 85, requiring that a report of bear kill be made to deer receiving stations.

### AMENDMENT

Amend Section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Report to Deer Registration Stations. Amend RSA 208:23 (supp) as inserted by 1965, 143:1 by striking out said section and inserting in place thereof the following: 208:23 Report of Bear Killed. Within forty-eight hours after any person has killed a wild bear in this state, he shall make a report to a deer registration station of this state, indicating the town in which the bear was taken, and furnish such other information as the director may require. The registration agent shall register each bear in the manner prescribed by the director and collect a fee of twenty-five cents from the person registering said bear. Any person who fails to make the report required by this section shall be fined not more than twenty-five dollars.

\* \* \*

The Clerk read the amendment in full.

On motion of Rep. Robert Drew the House non-concurred in the Senate amendment and a committee of conference was

requested. The Chair appointed Reps. Maynard, McCuin and LaChance as conferees on the part of the House.

On motion of Rep. Stafford the House adjourned from the early session and the Rules of the House were so far suspended as to permit reading of bills by title only, HJR by caption only, and that when the House adjourns today it be to meet tomorrow at 11:00 o'clock.

### LATE SESSION THIRD READINGS

The following House Bills and HJR were read a third time, passed, and sent to the Senate for concurrence.

HB 398, relative to accident and health insurance of physically and mentally handicapped dependents.

HB 479, increasing the salaries of the Grafton county commissioners.

HB 353, relative to hospital directional signs on certain highways.

HJR 44, relative to a special joint committee to study the management and use of state-owned motor vehicles.

HB 244, to empower the Rockingham County Convention to set the salaries of certain county officers.

\* \* \*

### RESOLUTIONS

Rep. Vachon, Chairman of the Manchester Delegation offered the following resolution.

### RESOLUTIONS

*Whereas*, we have learned with sorrow of the passing of Florida Allard, wife of Rep. Edmond Allard of Manchester, therefore be it

*Resolved*, that we, the members of the New Hampshire House of Representatives in General Court convened, do hereby extend our sincere sympathy to Mr. Allard in his loss, and be it further

*Resolved*, that a copy of these resolutions be transmitted to him.

\* \* \*

Resolutions adopted by vv.

On motion of Rep. Schwaner the House adjourned at 3:40 P. M.

---

## *Wednesday, March 26, 1969*

The House met at 11:00 o'clock.

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

"Blessed are the peacemakers, for they shall be called the children of God." (Matthew 5:9)

ALMIGHTY GOD, so many are the occasions to give ourselves to the ministry of peace, teach us to be makers and maintainers of peace, to serve as instruments and witnesses of peace. Let not our love nor our desire for peace prevent us from being peacemakers. Enable us to actively build bridges of agreement wherever we find separation among men and nations of differing ideals and conflicting values. Help us to work constructively and creatively for everything which makes for man's highest good. Forgive us if we lack in faith so as to avoid and evade life's vital issues, giving in to fear and mistrust, allowing ourselves to be "drop-outs" in the struggle to gain that promised peace which passes all human understanding. Bless, we pray, the life of former President Dwight D. Eisenhower, that valiant peacemaker who lies gravely ill and in need of Thy loving care. Grant unto him the knowledge of Thy Presence and the comfort of Thy Way in his struggle for life. Amen.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Kinney led the House in the Pledge of Allegiance to the Flag.

### LEAVES OF ABSENCE

Rep. Dudley was granted leave of absence for the day on account of illness.

\* \* \*

Rep. McMeekin offered the following resolution:

*Resolved*, that in accordance with the list in the possession of the clerk, House Bills numbered 554 through 561 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.

## INTRODUCTION OF BILLS

The following bills were read a first and second time, laid on the table for printing and referred as follows:

HB 554, establishing a charter for the city of Manchester. (Milne of Hillsboro Dist. 27, Montplaisir of Hillsboro Dist. 28, Dion of Hillsboro Dist. 29, & Goedecke of Hillsboro Dist. 36 — To Manchester Delegation.)

HB 555, relative to project in the surface waters of the state and establishing a water project review board. (Urie of Belknap Dist. 1 — To Resources, Recreation & Development.)

HB 556, increasing the allowable town appropriation for Memorial Day purposes. (DeCesare of Rockingham Dist. 7 — To Municipal & County Government.)

HB 557, relative to the penalty for late payment of poll taxes. (Henry of Merrimack Dist. 22 — To Municipal & County Government.)

HB 558, relative to tax anticipation notes. (Bednar of Hillsboro Dist. 23 — To Municipal & County Government.)

HB 559, relative to compensating certain employees of the racing commission. (Kopperl of Merrimack Dist. 12 — To Executive Departments & Administration.)

HB 560, to provide for liability of lending institutions for damages due to title defects not discovered by title abstractors employed by said institutions. (Nixon of Hillsboro Dist. 5 — To Banks & Insurance.)

HB 561, authorizing municipalities and counties to issue bonds or notes for preliminary expenses for public works or improvements. (Casey of Hillsboro Dist. 32 — To Municipal & County Government.)



## SENATE MESSAGE, INTRODUCTION OF SENATE BILLS, AND SENATE JOINT RESOLUTION AND REFERRAL

The following Senate Bills and Senate Joint Resolution were read a first and second time and referred as follows:

SB 61, providing for separate times for electing officials and voting on other articles in the warrant for town meetings. To Statutory Revision.

SB 157, relative to tax exemption of widows of men killed on active duty. To Claims.

SJR 5, in favor of Nansen Ski Club. To Appropriation.

### FURTHER SENATE MESSAGE

The Senate has voted to accede to the House of Representatives for a Committee of Conference on the following entitled bill:

HB 133, prohibiting motorboats on Willard Pond in Antrim.

and the President has appointed as members of said Committee on the part of the Senate: Sens. Armstrong and Bourque.

### FURTHER SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

HB 168, relative to the issuance of special fishing permits by certain state institutions.

### FURTHER SENATE MESSAGE

The Senate refuses to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

HB 56, relative to probate supplies.

Rep. Greenwood moved that the Rules of the House be so far suspended as to dispense with printing, reference to committee, and public hearing of SB 157, relative to tax exemption

of widows of men killed on active duty, and that it be put on third reading and final passage at the present time.

The Clerk read SB 157 in full.

### AN ACT

relative to tax exemption of widows of men killed on active duty.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 Widows. Amend RSA 72:29-a (supp) as inserted by 1963, 174:2 and amended by 1967, 219:3 by striking out in line seven the word "four" and inserting in place thereof the word (six) so that said section as amended shall read as follows: 72:29-a Widows. The widow of any person who was killed or died while on active duty in the armed forces of the United States or any of the armed forces of any of the governments associated with the United States in the wars, conflicts or armed conflicts, or combat zones set forth in section 28, so long as she remains his widow, shall be exempt each year from taxation upon her real and personal property, whether residential or not, in the amount of six hundred dollars in taxes.

2 Effective Date. This act shall take effect April 1, 1969.

Rep. Greenwood spoke in favor of the motion.

Rep. O'Neil spoke in favor of the motion.

Motion adopted by vv.

### THIRD READING

SB 157, relative to tax exemption of widows of men killed on active duty was read a third time, passed, and sent to the Secretary of State to be engrossed.

### COMMITTEE REPORTS

#### SB 29

creating a commission to study approved non-public school problems in the state. Ought to pass with amendment. Rep. George Roberts for Appropriations.

## AMENDMENT

Amend the bill by striking out section 2 and inserting in place thereof the following:

2. Duties. The commission shall study among other things: (1) The desirability of maintaining a dual system of education: (2) the question of whether or not the state may give assistance, financial or otherwise, to the approved nonpublic schools of the state: (3) the number of approved nonpublic schools that may be in danger of being forced to close in the near future due to lack of adequate financial support: (4) the impact that the closing of an approved nonpublic school will have on particular communities and their public school system: (5) the ways in which the state may help communities prepare for and solve the problems incident to the closing of an approved nonpublic school: and (6) the transfer of nonpublic real property to the school district.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

## RECONSIDERATION

Rep. D'Amante, having voted with the majority, served notice that today or some subsequent day he would ask that the House reconsider its action whereby it killed HB 227, to legalize greyhound racing in New Hampshire and to establish greyhound racing commission.

\* \* \*

## COMMITTEE REPORTS CONTINUED

**SB 72**

to qualify the small business administration to be an originating or participating lender under cooperative banks and building and loan association statutes. Ought to pass. Rep. Alard for Banks and Insurance.

Ordered to third reading by vv.

(Rep. Stafford in the Chair)

**SB 38**

to make it unlawful to require a fee other than the insurance premium on the substitution of one insurance policy for another as security on a loan. Ought to pass with amendment. Rep. Avery for Banks and Insurance.

**AMENDMENT**

Amend RSA 399-C:2 as inserted by section 1 of the bill by striking out in line 2 the words "one thousand" and inserting in place thereof the words (five hundred) so that said paragraph as amended shall read as follows:

399-C:2 Penalty. The penalty for a violation of any provision of this chapter is a fine of not more than five hundred dollars.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

**HJR 50**

in favor of Dr. Roger N. Blake, Frank Corliss and Barbara Pelletier. Rep. Mousseau for Claims, Military and Veterans Affairs.

Rep. Ratoff moved that HJR 50 be recommitted to committee for further consideration and spoke in favor of the motion.

(Speaker in the Chair)

Rep. Greenwood explained the resolution of the committee.

(discussion ensued)

Rep. Ratoff withdraw his motion to recommit.

Rep. Julia White spoke in favor of the bill.

(discussion ensued)

Rep. Ratoff moved that the words "ought to pass" be substituted for the committee report "inexpedient to legislate" and spoke in favor of the motion.

Reps. Hanson, Maloomian, Bednar and Van Gardner spoke in favor of the motion.

Rep. Wilfred Boisvert moved the previous question and it was sufficiently seconded.

The question being, shall the main question now be put.

Motion adopted by vv.

The question now being on the motion to substitute "ought to pass" for "inexpedient to legislate".

Motion adopted by vv and the Resolution was ordered to third reading.

#### **HB 419**

relative to mileage rate for all state employees using privately-owned passenger vehicles. Ought to pass. Rep. Bouchard for Executive Departments and Administration.

Referred to Appropriations under the Rules.

#### **HB 439**

relative to administrative functions of certain regulatory boards, and making an appropriation therefor. Ought to pass with amendment. Rep. Shirley Clark for Executive Departments and Administration.

### **AMENDMENT**

Amend section 3 of the bill by striking out the same and inserting in place thereof the following:

3 Effective Date. This act shall take effect July 1, 1970.

\* \* \*

At the request of Rep. Newell, Rep. Shirley Clark answered questions.

Rep. George Roberts further explained the bill.

Amendment adopted by vv. Referred to Appropriations under the Rules.

#### **SB 107**

relative to the governor's commission on crime and delinquency. Ought to pass with amendment. Rep. Murray for Labor, Human Resources and Rehabilitation.

## AMENDMENT

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Appointment of Unclassified Employees. The governor's commission on crime and delinquency is hereby authorized to appoint, with the approval of the governor, persons to the following unclassified positions: one director, two deputy directors, one coordinator, all of whom shall serve at the pleasure of the commission, and the commission, with the approval of the governor, may employ them at any point in their salary range.

2 Salary Established. Amend RSA 94:1 (supp), as amended, by inserting in the proper alphabetical order the following:

Director of Commission on		
Crime and Delinquency	\$14,040	\$18,000
Deputy Directors of Commission on		
Crime and Delinquency (2)	12,480	16,000
Coordinator of Crime and Delinquency	9,020	12,000

3 Plans and Reports. The governor's commission on crime and delinquency shall file with the president of the senate and the speaker of the house a copy of any plan which it adopts or recommends and twice each year a complete report of its activities and actions.

4 Effective Date. This act shall take effect upon its passage.

\* \* \*

Amendment adopted by vv.

Rep. Newell offered the following amendment.

## AMENDMENT

Amend said bill by striking out section 1 and inserting in place thereof the following:

1 Appointment of Unclassified Employees. The governor's commission on crime and delinquency is hereby authorized to appoint, with the approval of the governor and council, persons to the following unclassified positions: one director, two deputy directors, one coordinator, all of whom shall serve at the pleasure



of the commission, and the commission, with the approval of the governor and council, may employ them at any point in their salary range.

\* \* \*

The Clerk read the amendment in full.

Rep. Newell explained his amendment.

Rep. Cochrane spoke against the proposed amendment.

(discussion ensued)

Rep. Mackintosh spoke in favor of the proposed amendment.

Rep. Merrill spoke against the proposed amendment.

(discussion ensued)

On a vv the Chair stated the "yeas appeared to have it".

Rep. Merrill requested a division.

The question being on the amendment as proposed by Rep. Newell.

Rep. Casey requested that the Clerk read the proposed amendment and those appearing for and against.

The Clerk read the proposed amendment in full.

### PARLIAMENTARY INQUIRY

Reps. Knight, Mackintosh and deBlois rose on a point of parliamentary inquiry.

Rep. Brungot requested a review of SB 107.

136 members having voted in the affirmative and 117 in the negative, the Chair stated there being 253 members present, a two thirds vote would be necessary for passage and a quorum was not present.

Rep. McMeekin called for a quorum count.

The Chair stated when there are less than 267 members present the Rules call for a 2/3 vote to pass and there being less than 267 on the last call, the Chair instructed a quorum count to be taken.

There being 284 members present, a quorum was present.

The proposed amendment was adopted.

SB 107 was referred to Appropriations under the Rules.

### COMMITTEE REPORTS CONTINUED

#### HB 360

amending the Lebanon city charter to provide for three year terms for city councilors, three to be elected annually. Ought to pass with amendment. Rep. Carl Foster for the Lebanon Delegation.

### AMENDMENT

Amend section 3 of the bill by striking out in lines three and four the words "commencing January fifteenth" and by striking out in line seven the words "commencing January fifteenth" so that said section as amended shall read as follows:

3 Mayor. Amend Laws of 1957, 419:17 by striking out in lines two and three the words "the duration of his then existing term as councilman" and inserting in place thereof the words (a term of one year) so that said section as amended shall read as follows: 419:17 Mayor. The council shall at it first meeting in January following its election choose one of its members as mayor for a term of one year. He shall preside at meetings of the council and may speak and vote in such meetings. He shall be recognized as head of the city for all ceremonial purposes. All other duties of the mayor prescribed by law shall be exercised by the manager provided for in this charter. The council shall also from its members elect an assistant mayor who shall act as mayor during the absence or disability of the mayor, and if a vacancy occurs, shall become mayor for the completion of the unexpired term.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

#### HB 484

legalizing certain proceedings of Plymouth school district and permitting said school district to refund certain temporary notes. Ought to pass. Rep. Cox for Municipal and County Government.

Ordered to third reading by vv.

**SB 53**

relative to the manner of voting to rescinding or change from non-partisan ballot in towns of forty-five hundred or more. Inexpedient to legislate. Rep. Irene Reed for Municipal and County Government.

Resolution adopted by vv.

**HB 246**

to discontinue terms of superior court at Nashua. Ought to pass with amendment. Rep. Cote for the Nashua Delegation.

**AMENDMENT**

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Nashua. Amend RSA 496:1 as amended by 1965, 41:1 and 1967, 59:1, by striking out in line eight the words "and Nashua" and inserting in place thereof the following: (and at Nashua for the hearing of non-jury cases and motions, so long as suitable facilities are there available.) so that said section as amended shall read as follows: 496:1 Time; Place. Terms of the superior court shall be holden annually, at the following places in the following counties:

For the county of Rockingham: At Exeter.

For the county of Strafford: At Dover.

For the county of Belknap: At Laconia.

For the county of Carroll: At Ossipee.

For the county of Merrimack: At Concord.

For the county of Hillsborough: At Manchester and at Nashua for the hearing of non-jury cases and motions, so long as suitable facilities are there available.

For the county of Cheshire: At Keene.

For the county of Sullivan: At Newport.

For the county of Grafton: At Lebanon, Woodsville in the Town of Haverhill and Plymouth.

For the county of Coos: At Lancaster and Berlin. The times for holding the terms of court at the places designated in each county shall be established by rule of the superior court, which

shall provide for the holding of not less than two terms annually in each county.

Amend section two of the bill by striking out the same and inserting in place thereof the following new sections:

2 Hillsborough County. Amend RSA 510:1 as amended by 1955, 63:1, by striking out in line six the word "Nashua" and inserting in place thereof the word (Manchester) so that said section as amended shall read as follows: 510:1 Time, Where Returnable. All original writs and writs of mesne process shall be served fourteen days before the return day to which they are returnable, and shall be returnable to the superior court for Rockingham County at Exeter; Strafford County at Dover; Belknap County at Laconia; Carroll County at Ossipee; Merrimack County at Concord; Hillsborough County at Manchester; Cheshire County at Keene; Sullivan County at Newport; Grafton County at Woodsville in the town of Haverhill; and Coos County at Lancaster.

3 Effective Date. This act shall take effect September 1, 1969.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

#### **HB 302**

relative to the definition of the term "house trailers." Inexpedient to legislate. Rep. Buker for Transportation.

Resolution adopted by vv.

#### **SB 25**

relative to the reduction of minimum term of prisoners for donation of blood. Ought to pass. Rep. Shindledecker for Statutory Revision.

Ordered to third reading by vv.

#### **HB 384**

relative to qualifications for persons seeking the office of county attorney. Ought to pass with amendment. Rep. Burleigh for Statutory Revision.

## AMENDMENT

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Election; Vacancies. Amend RSA 7:33 by striking out said section and inserting in place thereof the following section: 7:33 Election; Vacancies. There shall be a county attorney for each county, who shall be a member of the New Hampshire bar, elected biennially by the inhabitants of the county. If the county attorney is absent at any term of court or unable to discharge the duties of the office, the superior court, acting as a body, shall appoint a county attorney, who shall be a member of the New Hampshire bar, for the time being and allow said appointee such compensation for his services as they think reasonable.

\* \* \*

At the request of Rep. Mackintosh, Rep. McMeekin explained the bill and amendment.

(discussion ensued)

Amendment adopted and the bill ordered to third reading by vv.

**SB 84**

providing that a so-called Massachusetts trust, doing business in the state, shall be considered a foreign corporation, was withdrawn by committee.

**HB 356**

relative to the reimbursement of tobacco tax payments to wholesalers by retailers. Inexpedient to legislate. Rep. Fiske for Ways and Means.

Rep. Maloomian moved that HB 356 be referred to Legislative Council and spoke in favor of the motion.

Reps. Tasoulas and Ratoft spoke in favor of the motion.

Motion adopted by vv.

**HB 26**

authorizing the establishment of professional associations. Ought to pass with amendment. Rep. Zachos for Judiciary.

## AMENDMENT

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

I New Chapter. Amend RSA by inserting after chapter 294 the following new chapter:

## Chapter 294-A

## Professional Associations

294-A:1 Definitions. The following words and phrases as used in this chapter shall have the following meanings unless the context otherwise indicates:

I. "Professional service" means any type of professional service which may be performed only pursuant to a license, certificate, or other legal authorization as provided by RSA 309, 310, 311, 315, 316, 317, 318, 319, 327, 329, 330-A, or 332, granted to certified public accountants, architects, attorneys, podiatrists, chiropractors, dentists, pharmacists, professional engineers, optometrists, physicians and surgeons, psychologists, and veterinarians.

II. "Professional Association" means any association organized under the provisions of this chapter for the sole purpose of rendering a professional service.

III. "Employee" means a person duly licensed or otherwise legally authorized to render professional service within this state who renders such service through a professional association but does not include clerks, bookkeepers, technicians or other individuals who are not usually considered by custom and practice of the profession to be rendering professional services to the public nor does it include any other person who performs all of his employment under the direct supervision and control of an employee who is himself rendering professional service to the public on behalf of the association.

294-A:2 Professional Individuals and Groups May Incorporate. An individual or group of individuals each of whom is licensed or otherwise legally authorized to render the same kind of professional service within this state may organize and become a shareholder or shareholders of a professional association. The Articles of Agreement shall specify a single profession to be practiced and shall state the names and addresses of all



original shareholders, directors and officers. There shall be attached to the articles an affidavit, executed in the manner provided in RSA 294:10, which shall certify that all original shareholders, directors, officers and employees are duly licensed or otherwise legally authorized to render professional services in New Hampshire. The association name shall end with the following words or abbreviations: "Professional Association" or "Prof. Ass'n.". Corporations otherwise organized under the laws of this state, whether by special act or under the general law, whose employees furnish professional services, may elect to be governed by this chapter, by providing in the corporation's articles of agreement that the corporation is subject to the provisions of this chapter.

294-A:3 Professional Relationship. The provisions of this chapter do not modify any law applicable to the relationship between a person furnishing professional service and a person receiving such service, including liability arising out of such professional service.

294-A:4 Restricted Issuance of Stock. A professional association may issue its capital stock only to persons who are duly licensed or otherwise legally authorized to render the same professional service as that for which the association was organized.

294-A:5 Annual Statement of Names and Addresses of Stockholders. A professional association shall, on or before April 1st of each year, furnish a statement to the secretary of state showing the names and post office addresses of all shareholders, and shall certify that all its stockholders are duly licensed or otherwise legally authorized to render professional service in this state. This report shall be made on such form as shall be prescribed and furnished by the secretary of state, shall be signed by the president or vice president and the secretary or an assistant secretary of the association, acknowledged and sworn to before a notary public by the persons signing the report, and shall be filed in the office of the secretary of state.

294-A:6 Sale or Transfer of Shares; Merger; Consolidation. A shareholder may sell or transfer his shares in such association only to the association or to another individual who is duly licensed or otherwise legally authorized to render the same professional service as that for which the association was organized. A professional association organized under this chap-

ter may consolidate or merge only with another professional association organized under the provisions of this chapter for the purpose of performing the same kind of professional services. A shareholder may pledge or otherwise encumber his stock as security for any loan, but in the event the security is foreclosed, a transfer shall, within a reasonable time be made only to the association or to another individual who is duly licensed or otherwise legally authorized to render the same professional service as that for which the association was organized. Nothing in this chapter shall prevent title to the shares of a shareholder from passing by inheritance or otherwise by operation of law to the heirs, legatees, or personal representatives of a deceased shareholder, or to a conservator, guardian, receiver, or trustee of a shareholder, except that any such person acquiring title to such shares shall within a reasonable time transfer said shares to the association itself or to another individual who is duly licensed or otherwise legally authorized to render the same professional service as that for which the association was organized.

294-A:7 Effect of Incorporation Laws. The provisions of RSA 294 shall apply to professional associations except that in the event there is any conflict between RSA 294 and this chapter the provisions of this chapter shall take precedence.

294-A:8 Penalties. Any person who violates any provision of this chapter shall be fined not more than one hundred dollars. In addition, anyone who has reason to believe that any person is violating any provision of this chapter, may certify the facts to the attorney general, who may, in his discretion, cause appropriate proceedings to be brought in the superior court to restrain any such violations.

2 Effective Date. This act shall take effect sixty days after its passage.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

**SB 5**

relative to bail and recognizance reform. Ought to pass with amendment. Rep. Zachos for Judiciary.

## AMENDMENT

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Release on Personal Recognizance. Amend RSA 597:1 by striking out said section and inserting in place thereof the following: 597:1 When Allowed. Except for capital offenses where the proof is evident or the presumption is great, all persons arrested for crime shall, before conviction, be released on personal recognizance or be bailable by sufficient sureties, whichever justice may require.

2 Court Direction. Amend RSA 597:2 by inserting in line three after the word "by" the words (personal recognizance) and by inserting in line four after the word "required" the words (as the court or justice may direct) so that said section as amended shall read as follows: 597:2 Form. Whenever any person charged with a criminal offense is ordered by any court or justice to furnish bail for his appearance before the same or some other court he may do so by personal recognizance, recognizance with sufficient sureties, or by deposit of money equal to the amount of bail required as the court or justice may direct. Bail may be taken on Sunday.

3 Personal Recognizance in Superior Court. Amend RSA 597:4 by inserting in line five after the word "them" the words (may release said person on personal recognizance or) so that said section as amended shall read as follows: 597:4 In Superior Court. If any person is charged with an offense punishable by death, or imprisonment for life or for twenty years or upward, the superior court or any justice thereof, upon application and notice to the attorney general or county attorney, and examination of such evidence as may be laid before them, may release said person on personal recognizance or may determine the amount of bail, and take the recognizance required, or authorize the clerk or any suitable justice to take it.

4 When Requirable. Amend RSA 597:5 by striking out said section and inserting in place thereof the following: 597:5 When Requirable. Every court and justice may, when a person is accused of an offense in which said court or justice is authorized to receive bail, release said person on personal recognizance or require him to recognize with sureties, to appear at a future time before himself or any other competent tribunal.

5 Conditions for Release on Personal Recognizance. Amend RSA 597 by inserting after section 6 the following new section:

597:6-a Conditions for Release on Personal Recognizance. Any person shall be eligible for, and in the case of misdemeanor, shall be entitled to, release on personal recognizance upon satisfying the court or bail commissioner before whom he seeks release, of the following conditions:

I. That he is of such condition, both physical and mental, that his release will jeopardize neither himself nor the public;

II. That his employment, family ties, and residence within the state or other sufficient connection with the state make his failure to appear unlikely;

III. That he has not, prior to his application, failed to appear in any court when required to do so;

IV. That no other special circumstance exists creating a likelihood that he would fail to appear.

6 Sufficiency of Personal Recognizance. Amend RSA 597:13 by adding in line four after the word "cease" a semicolon and the words (provided, that this section shall not apply to release on personal recognizance upon a finding by the justice that such release is proper under the circumstances of the case) so that said section as amended shall read as follows: 597:13 Accepting Insufficient Bail, etc. If a justice knowingly accepts insufficient bail, or fails to make return of his proceedings as required by law, he shall be liable to the same punishment as for aiding an escape in a like case; provided, that this section shall not apply to release on personal recognizance upon a finding by the justice that such release is proper under the circumstances of the case.

7 Witnesses. Amend RSA 597:22 (supp) as amended by 1959, 159:1 and 1965, 86:5 by striking out in lines three and four the words "shall take the recognizances of all necessary witnesses who appear before him" and inserting in place thereof the words (may release all necessary witnesses who appear before him on personal recognizance may take recognizances of said witnesses) and by inserting in line seven after the word "case" the words (release such witness on personal recognizance or) so that said section as amended shall read as follows: 597:22 On Binding Over. Whenever a municipal or district court

commits or binds over a person for his appearance at a term of the superior court he may release all necessary witnesses who appear before him on personal recognizance or may take recognizances of said witnesses in such sum as he may think reasonable for their appearances at such term of court. At any time thereafter the superior court may, upon a showing that the testimony of any witness is necessary before said court in such case, release such witness on personal recognizance or take the recognizance of such witness in such sum as it may deem reasonable for his appearance before said court.

8 Discharge. Amend RSA 597:27 by striking out in line one the word "Bail" and inserting in place thereof the words (A surety) so that said section as amended shall read as follows: 597:27 Surrender, in Court. A surety for the appearance of a party or witness may be discharged, by order of the superior court, from further liability, upon surrendering the party in open court, during the pendency of the original cause and before trial, on payment of the costs of any proceeding against them, and the principal shall be committed unless again recognized.

9 Personal Recognizance in Another County. Amend RSA 597:40 by striking out in line six thereof the words "recognizance, with sufficient sureties," and by inserting in place thereof the words (personal recognizance, or recognizance with sufficient sureties upon the terms and conditions prescribed by this chapter) so that said section as amended shall read as follows: 597:40 Recognizance for Appearance in Superior Court. If a person is arrested in one county, on a warrant for an offense alleged to have been committed in another county exceeding the jurisdiction of a justice to determine, the officer, on his request, shall take him before a justice for the county in which he is arrested, and, upon his waiving examination, such justice may take his personal recognizance or recognizance with sufficient sureties upon the terms and conditions prescribed by this chapter for his appearance at the next term of the superior court for the county in which the offense is alleged to have been committed, and he shall return to said court certified copies of the warrant and recognizance.

10 Effective Date. This act shall take effect sixty days after its passage.

Amendment adopted and the bill ordered to third reading by vv.



The Chair called for the special order on HB 10, relative to registration and operation of snow traveling vehicles. Ought to pass with amendment.

### AMENDMENT

Amend the bill by striking out everything after the enacting clause and inserting in place thereof the following:

I New Chapter. Amend RSA by inserting after chapter 269-A (supp) as inserted by 1967, 357:1, the following new chapter:

#### Chapter 269-B

#### Snow Traveling Vehicles Registration and Operation

##### 269-B:1 Definitions.

I. "Commissioner" shall mean the commissioner of safety.

II. "Snow traveling vehicle" shall mean any vehicle propelled by mechanical power that is designed to travel over ice or snow supported in part by skis, belts or cleats, or low pressure tires.

III. Operate. The verb "to operate" in all its moods and tenses when it refers to a snow traveling vehicle means to use that vehicle in any manner for transportation.

269-B:2 Registration. Except as otherwise provided, no snow traveling vehicle shall be operated in the state unless registered as provided in this chapter. No registration shall be required for a snow traveling vehicle operated solely on land owned or leased by the owner of the snow traveling vehicle. The commissioner or his duly authorized representative is authorized to register a snow traveling vehicle, issue a registration certificate, and assign a registration number plate or set of plates to such vehicle. All such registrations shall expire June thirtieth in each year. The commissioner shall receive a fee of six dollars for each registration issued, except as otherwise provided in sections 7 and 8 of this chapter.

269-B:3 Racing. No snow traveling vehicle brought into this state for the purpose of taking part in a race or other contest, which has not been in the state in excess of ten days, shall



be required to be registered as provided herein if the commissioner shall have issued a special permit authorizing it to be used for racing or contest purposes.

269-B:4 Issuing Agents; Fees: If any registration is issued for the commissioner by one of his duly authorized agents not on the payroll of the commissioner, such agent shall collect from the registrant a fee of fifty cents in addition to the fee prescribed by section 2 of this chapter. Each application for registration of a snow traveling vehicle shall have printed thereon the words and figures, "agent's fee \$.50". Such agent shall retain said additional fee as compensation for his services in connection with the issuance of such registration.

269-B:5 Display and Inspection. The registration certificate shall be subject to inspection on demand by any officer authorized to enforce this chapter and shall be on the vehicle at all times when in operation. The registration number assigned to any such vehicle shall be displayed on the vehicle at all times in such form and manner as prescribed by the commissioner.

269-B:6 Dealers. Any person who is in the business of selling snow traveling vehicles shall register as a dealer with the commissioner. The commissioner shall assign a distinguishing number to the registrant and issue appropriate registration plates to him.

269-B:7 Rental Plates. Any person may make application to the commissioner to engage in the business of renting snow traveling vehicles. The commissioner shall assign a distinguishing number to the applicant and issue to him appropriate registration plates which shall be transferable between snow traveling vehicles owned by the registrant and used by him for rental.

269-B:8 Registration Fees. The fees to be collected by the commissioner under this chapter shall be as follows:

I. Individual registration — six dollars for each registration.

II. Dealer registration — ten dollars for each plate or set of plates.

III. Rental plates — ten dollars for each plate or set of plates.

IV. Registration after transfer as provided in section 10 of this chapter — two dollars.

All registration fees shall be transferred to the General Fund.

269-B:9 Vehicle Exempt From Fee. Snow traveling vehicles owned and operated in this state by the Federal Government, the state or any political subdivision of the state shall be exempt from registration fees, but such vehicles shall be registered with a permanent plate or set of plates and certificate in such a manner as the commissioner may require.

269-B:10 Transfer. A person who transfers the ownership of a snow traveling vehicle may register in his name another snow traveling vehicle for the remainder of the registration year at a reduced fee as provided in section 8 (IV) of this chapter.

269-B:11 Operation, License.

I. No person under twelve years of age shall operate a snow traveling vehicle unless he is on land owned or leased by him or his parents or guardians, or has the permission of the landowner on whose premises he is operating.

II. A person will not need a license to operate a snow traveling vehicle unless he operates upon or across a public highway or any portion thereof, in which case said person must be at least sixteen years of age and be licensed to operate a vehicle in accordance with the provisions of RSA 261, or if he is a non-resident of this state he must be at least sixteen years of age and be duly licensed to operate a motor vehicle in the state of his residence.

III. (a) It is unlawful to operate any snow traveling vehicle except at a reasonable and prudent speed for the existing conditions.

(b) It is unlawful to operate any snow traveling vehicle so as to endanger any person or damage any property.

(c) It is unlawful to operate any snow traveling vehicle while under the influence of intoxicating liquor or a narcotic or hallucinogenic drug.

(d) It is unlawful to operate any snow traveling vehicle during the period one-half hour after sunset to one-half hour before sunrise without displaying at least one lighted headlight and one lighted taillight.

(e) No person shall carry a firearm on a snow traveling vehicle unless said firearm is unloaded and in a case or holster. This section shall not apply to a law enforcement officer carrying firearms in the course of duty.

IV. Registration of a snow traveling vehicle does not constitute a license to operate said vehicle on private land. Any person operating a snow traveling vehicle upon the land of another shall stop and identify himself upon the request of the landowner or his duly authorized representative, and, if requested to do so by said landowner or his duly authorized representative, shall promptly remove said snow traveling vehicle from the premises.

269-B:12 Equipment. A snow traveling vehicle shall be equipped with at least one but not more than two headlights, one or more rear taillights, all in working order, brakes in good mechanical condition, and an efficient muffler.

269-B:13 Authority Under Registration.

I. No person shall operate a snow traveling vehicle upon or across any portion of the interstate highway system, toll roads, or limited access highways of this state, including the limits of the right-of-way thereto.

II. No person shall operate a snow traveling vehicle upon the main traveled portion, or the plowed snow banks, of any other public highway or upon the sidewalks adjacent to such highways, except for loading and unloading from another vehicle, with the following exceptions:

(a) Crossing Highways. Properly registered snow traveling vehicles may cross such public highways as directly as possible, preferably at right angles, provided that such crossing can be made in safety and does not interfere with the free movement of vehicular traffic approaching from either direction on such public highways. It shall be the responsibility of the operator of a snow traveling vehicle to yield the right of way to all vehicular traffic upon any public way before crossing same.

(b) Adjacent to a Public Highway. Whenever it is impracticable to gain immediate access to an area adjacent to a public highway where a snow traveling vehicle is to be operated, said snow traveling vehicle may be operated adjacent and parallel to such public highway for the purpose of gaining access to the

area of operation. This paragraph shall apply to the operation of a snow traveling vehicle from the point where the same is unloaded from motorized conveyance to the area where the snow traveling vehicle is to be operated, or from the area where operated to a motorized conveyance when such loading and unloading cannot be effected in the immediate vicinity of the area of operation without causing a hazard to vehicular traffic approaching from either direction on said highway. Such loading or unloading must be accomplished with due regard to safety, at the nearest possible point to the area of operation.

(c) During the period beginning one-half hour before sunrise and ending one-half hour after sunset a person may operate a snow traveling vehicle on the right-of-way portion of such public highways, exclusive of the main traveled portion and the plowed snow banks.

III. Notwithstanding anything herein contained, a person may operate a snow traveling vehicle on a public highway that is not maintained for winter use by conventional motor vehicles.

IV. When travel by conventional motor vehicles is not possible during a period of emergency declared by the appropriate authority having jurisdiction, a snow traveling vehicle may be operated on any portion of an interstate highway, toll road, limited access highway, or public highway whatsoever, provided that the operator of said vehicle has received the specific authority of an enforcement officer to so operate.

V. No person shall operate a snow traveling vehicle within the limits of any railroad right of way or upon any airport runway or landing field, except in an emergency period as set forth in subparagraph IV hereof.

269-B:14 State Parks. All state parks, so far as possible, and consistent with their primary function, shall be made available for use by snow traveling vehicles subject to the fees, rules and regulations as established by the director of the division of parks with the approval of the commissioner of resources and economic development.

269-B:15 Financial Responsibility and Conduct After an Accident. All provisions, including the penalties, suspensions and prohibitions of the New Hampshire financial responsibility law, and the provisions of statutes relative to the operation of

a motor vehicle, shall apply to snow traveling vehicles being operated upon a public highway. The operator of a snow traveling vehicle involved in an accident resulting in death or injury to a person or damage to property in excess of fifty dollars if the snow traveling vehicle is uninsured, or damage to property in excess of one hundred dollars if the snow traveling vehicle is insured, the owner of said snow traveling vehicle having knowledge of the accident should the operator of same be incapacitated, shall, within five days, file a report of said accident with the commissioner in such form as he shall prescribe.

269-B:16 Administration. The commissioner shall administer this chapter and he is hereby authorized to adopt and amend such rules and regulations as are consistent with the provisions of this chapter that he deems necessary or advisable to carry out the intent and purposes of this chapter with regard to (a) administrative procedures, (b) safety equipment, (c) temporary registrations, (d) the safety of operators, passengers and other persons, (e) the protection of property.

The adoption or amendment of such rules and regulations shall be subject to the following procedure:

I. The commissioner shall hold a public hearing on said proposed rules and regulations and publish the time, place, location, and substance of said hearing in a public newspaper of statewide circulation at least seven days prior to said hearing.

II. After said hearing he shall publish the adopted or amended rules and regulations in such a public newspaper, with an effective date for same.

The provisions of this chapter, any rules and regulations adopted by the commissioner, and any other information he deems feasible, shall be printed by the commissioner in booklet form and made available to the public.

269-B:17 Regulation by Other Political Subdivisions. Any town or city may regulate the operation of snow traveling vehicles within its limits, providing its ordinance does not conflict with the provisions of this chapter.

269-B:18 Enforcement. The provisions of this chapter shall be enforced by all duly authorized representatives of the division of safety services, and by every law enforcement officer,



including conservation officers of the fish and game department, members of the state police, sheriffs, deputy sheriffs, policemen and constables.

269-B:19 Penalties. Unless otherwise provided, any person who violates this chapter or any rule or regulation relating thereto shall be punished by a fine of not less than ten dollars nor more than one hundred dollars for each offense. In addition thereto, the operator and/or owner of any snow traveling vehicle shall be responsible and held accountable to the owner of any lands where trees, shrubs, or other property have been damaged as a result of travel over their premises by such vehicle. The commissioner may revoke, after a just hearing, the registration of any snow traveling vehicle registered in the name of any person who violates this chapter or any rule or regulation relating thereto.

2 Definition. Amend paragraph III of RSA 72:15 (supp) as amended by 1967, 450:2 by inserting in line four after the word "vehicles" the words (which are registered pursuant to chapter 269-B) so that said section as amended shall read as follows:

III. Vehicles. Vehicles in excess of the aggregate value of one hundred dollars; provided, however, that motor vehicles, house trailers and all trailers and semi-trailers used in connection with a vehicle of the tractor type, snow traveling vehicles which are registered pursuant to chapter 269-B, and farm trailers, shall not be regarded as vehicles.

3 Exemption from Inspection. Amend RSA 260:14 as amended by 1965, 240:6 by inserting in line two after the word "vehicle" the words (except a snow traveling vehicle as defined in chapter 269-B) so that said section as amended shall read as follows: 260:14 Inspection Authorized. The director may require the inspection of any motor vehicles, except a snow traveling vehicle as defined in chapter 269-B, trailer, or semi-trailer to determine whether it is safe and fit to be operated. Such inspection shall be made at such times and in such manner as the director may authorize properly qualified persons to make inspections, without expense to the state, at stations designated by him, and may at any time revoke such authorization or designation. The annual fee to be paid by the inspection station upon authorization as set forth herein shall be fifteen dollars, and shall not be refundable.



4 Exemption from Certificate of Title. Amend RSA 260-A:2, I (supp) as inserted by 1967, 357:1 by adding at the end thereof the following:

(i) a snow traveling vehicle as defined in chapter 269-B.

5 Exemption from Municipal Permits. Amend RSA 260:23 as amended by 1961, 41:2 and 1963, 62:1 by inserting in line four after the word "commission" the following (Snow traveling vehicles as defined in chapter 269-B) so that said section as amended shall read as follows: 260:23 Scope of Term "Motor Vehicle". The words motor vehicle as used in this subdivision shall include all trailers and semi-trailers as defined in chapter 259 and travel trailers as determined by the state tax commission. Snow traveling vehicles as defined in chapter 269-B, mobile homes and house trailers shall not be included in the term motor vehicle as defined herein.

6 Repeal. RSA 262:46 through 58 (supp) as inserted by 1967, 450:1, relative to registration and operation of snow traveling vehicles, are hereby repealed.

7 Effective Date. This act shall take effect sixty days after its passage, except that if any snow traveling vehicle is legally registered on the date of passage of this act, such registration shall remain effective until the following June thirtieth.

\* \* \*

Rep. Hunt spoke against the amendment.

Rep. Zachos spoke in favor of the bill.

(discussion ensued)

Rep. Hayes spoke against the amendment.

(discussion ensued)

Rep. Zachos moved that HB 10 be laid on the table.

Motion adopted by vv.

Rep. Stafford moved that the Rules of the House be so far suspended as to place SB 29, creating a commission to study parochial school problems in the state, on third reading and final passage at the present time.

Motion adopted by vv.

### THIRD READING

SB 29, was read a third time, passed and sent to the Secretary of State to be engrossed.

Rep. Zachos moved that HB 10 be taken from the table.

Motion adopted by vv.

Reps. Kopperl, Elmer Johnson, Brummer and Huggins spoke in favor of the committee amendment.

(discussion ensued)

Rep. Michels moved the previous question and it was sufficiently seconded.

The question being, shall the previous question now be put.

Motion adopted by vv.

The question now being on the committee amendment.

Amendment adopted by vv.

Rep. Drake offered the following amendment.

#### AMENDMENT

Amend 269-B:11 as inserted by section 1 of the bill by striking out paragraph I and renumbering paragraphs II, III and IV to read I, II and III respectively.

\* \* \*

The Clerk read the amendment in full.

Rep. Drake spoke in favor of his amendment.

(discussion ensued)

Rep. Zachos spoke against Rep. Drake's amendment.

Rep. Hayes spoke in favor of Drake's amendment.

Rep. Lambert moved the previous question and it was sufficiently seconded.

The question being, shall the main question now be put.

Motion adopted by vv.

The question now being on the adoption of Rep. Drake's amendment.

Amendment lost by vv.

HB 10 was ordered to third reading by vv.

## ENGROSSED BILLS COMMITTEE REPORT

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bills, Senate Bill and Senate Joint Resolution:

HB 41, An Act relative to the power of the director of fish and game for the protection of deer herds.

HB 170, An Act relative to tax exemption for totally disabled veterans.

HB 193, An Act relative to the procedure for claiming veteran's property tax exemptions.

SB 157, An Act relative to tax exemption of widows of men killed on active duty.

SJR 7, Joint Resolution establishing a fact-finding panel.

For the Committee  
Roxie A. Forbes

## RESOLUTION

Rep. Ormiston offered the following resolution.

## RESOLUTION

*Resolved* that members of the House of Representatives who fail to attend their respective committee meetings, when proper notification has been given of such meetings, and they have not otherwise been excused, shall have their name posted in the journal of that day as absent from committee meeting and further that this information shall be made available to the news media.

Referred to Legislative Revision.

\* \* \*

On motion of Rep. Shirley Clark the order whereby SB 108, establishing an interim committee to study the problems associated with the conversion from open dumps to other means of public disposal of refuse, was referred to Executive Departments and Administration was vacated and the bill referred to Municipal and County Government.

On motion of Rep. Stafford the House adjourned from the early session and the Rules of the House were so far suspended as to permit reading of bills by title only, HJR by caption only, and that when the House adjourns today it be to meet tomorrow at 11:00 o'clock.

### LATE SESSION THIRD READINGS

The following House Bills and HJR were read a third time, passed and sent to the Senate for concurrence.

HJR 50, in favor of Dr. Roger N. Blake, Frank Corliss and Barbara Pelletier.

HB 360, amending the Lebanon city charter to provide for three year terms for city councilors, three to be elected annually.

HB 484, legalizing certain proceedings of Plymouth school district and permitting said school district to refund certain temporary notes.

HB 246, to discontinue terms of superior court at Nashua.

HB 384, relative to qualifications for persons seeking the office of county attorney.

HB 26, authorizing the establishment of professional associations.

HB 10, relative to registration and operation of snow traveling vehicles.

The following Senate Bills were read a third time, passed, and sent to the Secretary of State to be engrossed.

SB 72, to qualify the small business administration to be an originating or participating lender under cooperative banks and building and loan association statutes.

SB 38, to make it unlawful to require a fee other than the insurance premium on the substitution of one insurance policy for another as security on a loan.

SB 25, relative to the reduction of minimum term of prisoners for donation of blood.

SB 5, relative to bail and recognizance reform.

The Chair called for HB 281, relative to sewage disposal systems near shorelines and establishment of fees for submission of plans for approval, and making appropriation therefor, and advised that HB 281, would be placed on the calendar for action tomorrow.

The Chair called for the following House Bills and CA-CR 11 and granted a six day extension.

HB 287, relative to the expansion of water system at the University of New Hampshire and making an appropriation therefor. Public Works

HB 294, constituting the Lincoln district court. Constitutional Revision

CA-CR 11, relating to legal voting age; Providing that Eighteen year olds may vote. Constitutional Revision

### RECONSIDERATION

Rep. Brummer, having voted with the majority, moved that the House reconsider its action whereby it passed HB 10 and spoke against the motion.

Motion lost by vv.

\* \* \*

On motion of Rep. Leavitt the House adjourned at 2:23 P.M.

---

*Thursday, March 27, 1969*

The House met at 11:00 o'clock.

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

"Blessed are they which are persecuted for righteousness' sake, for theirs is the kingdom of heaven." (Matthew 5:10)

Almighty God — in the cause of righteousness and for the sake of goodness we are challenged to steer our lives on that

course of high purpose that has for its foundations truth, freedom, and justice. It is not always easy, Lord, to know if our response serves the highest good and the best interests of those we represent. We need Thy help and continual guidance if we are to bear one another's burdens. Arm us with courage to break new trails in the wilderness of doubt and darkness. It is not easy to be right, far worse to be wrong, and there are many who would sit in judgment of our endeavors. Bless us when we are right, forgive us when we are wrong, and protect us from those who would harm or hurt us for being and doing right. In Jesus' Name we pray. Amen.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Varrill led the House in the Pledge of Allegiance to the Flag.

### LEAVES OF ABSENCE

Rep. Gile was granted leave of absence for the day on account of important business.

Rep. Dudley was granted leave of absence for the day on account of illness.

### SENATE MESSAGE

The Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill:

HB 85, requiring that a report of bear kill be made to deer receiving stations.

and the President has appointed as members of said Committee on the part of the Senate: Sens. Mason and Bourque.

### FURTHER SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in its amendments to the following Bill:

SB 29, creating a commission to study approved non-public school problems in the state.



## FURTHER SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution sent up from the House of Representatives:

HB 251, to increase maximum penalty for violating town by-laws.

HB 348, to amend the charter of Kimball Union Academy.

HJR 16, relative to Joseph Sanquist.

## FURTHER SENATE MESSAGE

The Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 140, relative to time and place for holding probate court in Rockingham County.

## AMENDMENT

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Rockingham. Amend RSA 549:1 by striking out said section and inserting in place thereof the following: 549:1 Rockingham. The courts of probate shall be holden annually at the times and places following:

For the county of Rockingham, — at Exeter, on the first Tuesday of February, March, May, June, October, November, and December; on the second and fourth Tuesdays of January, February, April, May, June, July, September, October, and November; and the fourth Tuesday of March.

Further amend the bill by striking out section 2 and inserting in place thereof the following:

2 Effective Date. This act shall take effect upon its passage.

\* \* \*

On motion of Rep. Dame the House concurred in the Senate amendment.

## RESOLUTION

Rep. McMeekin offered the following resolution:

Resolved, that in accordance with the list in the possession of the clerk, House Bills numbered 562 through 568 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.

## INTRODUCTION OF BILLS

The following bills were read a first and second time, laid on the table for printing and referred as follows:

HB 562, authorizing the board of education, upon request, to certify private kindergartens. (Wallin of Hillsboro Dist. 14 — To Education.)

HB 563, relative to the open season on raccoon in Coos and Grafton counties. (Hunt of Coos Dist. 2, Huggins of Coos Dist. 1, Ellms of Grafton Dist. 14 — To Fish & Game.)

HB 564, relative to the open season for taking of wild deer. (Hayes of Carroll Dist. 3 — To Fish & Game.)

HB 565, requiring that under the access to public records statute the record of decisions made in executive session on certain matters be promptly opened to public inspection. (Johnson of Grafton Dist. 9, Raiche of Hillsboro Dist. 34 — To Judiciary.)

HB 566, providing, that under the access to public records statute, certain executive sessions must be open to the public. (Johnson of Grafton Dist. 9, Raiche of Hillsboro Dist. 34 — To Judiciary.)

HB 567, relative to the place and hours of business of tax collectors. (Allan of Belknap Dist. 2 — To Municipal & County Government.)

HB 568, relative to payment of poll and head taxes as prerequisite for obtaining hunting and fishing licenses. (Allan of Belknap Dist. 2 — To Fish & Game.)

## COMMITTEE REPORTS

### HB 319

increasing the salaries of classified employees, temporary and seasonal employees and making an appropriation therefor. Ought to pass. Rep. MacDonald for Executive Departments and Administration.

At the request of Rep. Raiche, Rep. McMeekin answered questions.

Rep. Raiche explained the bill.

Rep. McMeekin further explained the bill.

Referred to Appropriations under the Rules.

### HB 346

transferring the chairmanship of the council on resources and development to the commissioner of resources and economic development. Ought to pass with amendment. Rep. Martin for Executive Departments and Administration.

## AMENDMENT

Amend the title of the bill by striking out the same and inserting in place thereof the following:

### AN ACT

relative to the council of resources and development.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Council Established. Amend Laws of 1963, 301:1 as amended by laws of 1965, 212:1 by striking out said section and inserting in place thereof the following: 301:1 Council Established. There shall be a council on resources and development composed of eight members as follows: commissioner of department of agriculture; commissioner of the department of

education; director of the fish and game department; commissioner of the department of public works and highways; the executive director of the water supply and pollution commission; chairman of the water resources board; commissioner of the department of resources and economic development and the governor or their designated representatives.

2 Appointment and Tenure of Members. Amend Laws of 1963, 301:3 as amended by Laws of 1965, 212:3 by striking out said section and inserting in place thereof the following: 301:3 Appointment and Tenure of Members. The commissioner of agriculture, the commissioner of education, the director of fish and game, the commissioner of public works and highways, the executive director of water supply and pollution commission, the chairman of the water resources board and the commissioner of the department of resources and economic development shall serve as members or appoint a designated member of their department to represent their respective agencies. The governor shall serve as a member of the council or appoint a member of represent him. Any vacancy shall be filled by appointment in the same manner as original appointments. Members shall serve without compensation and shall be appointed for a term of one year or until his successor is appointed, provided, however, that a member may be appointed to succeed himself. In any case the member's term of office shall terminate when he ceases to be a member of the state agency he represents.

3 Organization and Meetings. Amend Laws of 1963, 301:4 as amended by Laws of 1965, 212:4 by striking out said section and inserting in place thereof the following: 301:4 Organization and Meetings. The first meeting of the council shall be held no later than thirty days after the passage of this act at the call of the commissioner of the department of resources and economic development who shall be the chairman of said first meeting, and who shall prepare and have delivered at least seven days before every meeting of the council an agenda for said meeting. Thereafter the council shall meet no less often than once in every three months but may meet more often if it deems it advisable. The chairmanship of the council shall remain permanently with the governor or his designated representatives. The department of resources and economic development shall be the staff agency for the council and will provide secretarial and other services as may required.

4 Effective Date. This act shall take effect sixty days after its passage.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

**HB 433**

increasing the salaries of classified, temporary and seasonal employees. Inexpedient to legislate. Rep. MacDonald for Executive Departments and Administration.

Resolution adopted by vv.

**HB 471**

relative to taking pheasants and increasing the number to be taken in one open season. Inexpedient to legislate. Rep. Huggins for Fish and Game.

Resolution adopted by vv.

**HB 165**

to give the superior court power to compel disclosure of insurance coverage. Ought to pass with amendment. Rep. Zachos for Judiciary.

**AMENDMENT**

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Power to Compel Disclosure. Amend RSA 498 by inserting after section 2 the following new section: 498:2-a Insurance Coverage in Tort Cases. Prior to the trial of any action on the case for negligence, in which an insurance carrier has been joined or has come in to defend, the superior court may, in its discretion and only if the court feels it would assist in the settlement of the case, on motion, require said insurance carrier to disclose only to opposing counsel, for purposes of settlement negotiations, the policy limits of the policy of liability insurance between a defendant and the insurance carrier.

2 Effective Date. This act shall take effect sixty days after its passage.

Amendment adopted and the bill ordered to third reading by vv.

**HB 372**

relative to actions for fraud. Ought to pass with amendment. Rep. Andrews for Judiciary.

**AMENDMENT**

Amend section 1 of the bill by striking out in line five after the word "or" the words "assignment or insolvent law of this state" and inserting in place thereof the following (under the laws of this state pertaining to insolvency proceedings or assignments for the benefit of creditors) so that said section as amended shall read as follows:

1 Statute of Frauds. Amend RSA 506 by inserting after section 2 the following new section: 506:2-a Actions Against Persons Discharged as Bankrupt. No action shall be maintained against any person who may have been discharged as a bankrupt under the laws of the United States, or under the laws of this state pertaining to solvency proceedings or assignments for the benefit of creditors, upon any promise to pay any debt or demand from which he was or shall be released by such discharge, unless such promise be made after such discharge, and be in writing and signed by the party to be charged therewith.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

**HB 350**

relative to benefit eligibility conditions under the employment compensation law. Inexpedient to legislate. Rep. Howland for Labor, Human Resources and Rehabilitation.

At the request of Rep. Edward Walsh, Rep. Merrill answered questions.

Resolution adopted by vv.

**HB 39**

appropriating funds for surveying and reconstructing route U. S. 302 in Bartlett. Inexpedient to legislate. Rep. Coburn for Public Works.

Resolution adopted by vv.



**HB 281**

relative to sewage disposal system near shorelines and establishment of fees for submission of plans for approval, and making an appropriation therefor. Ought to pass with amendment. Rep. Urie for Resources, Recreation and Development.

**AMENDMENT**

Amend the title of said bill by striking out the same and inserting in place thereof the following:

**An Act**

relative to sewage disposal systems in the state, the establishment of fees for submission of plans for approval, and making an appropriation therefor.

Amend section 2 of said bill by striking out said section and inserting in place thereof the following:

2 Fees for Submission of Plans. Amend RSA 149-E:3 (supp) as inserted by 1967, 147:13 by inserting after paragraph III the following new paragraph: III-a. Each set of subdivision plans submitted to the commission for approval shall be accompanied by a fee based upon the following schedule: 1-5 lots, minimum \$5 maximum \$25; 6-20 lots, minimum \$27 maximum \$55; 21-50 lots, minimum \$67 maximum \$125; 51-100 lots, minimum \$152 maximum \$250; and over 100 lots, \$302; and in the case of plans and specifications relating to sewage disposal systems for a particular lot, the fee shall be \$15. The fees collected hereunder shall be paid into the state treasury by the commission.

Amend section 3 of said bill by striking out the same and inserting in place thereof the following:

3 Revocation of Approval. Amend RSA 149-E:3 (supp) as inserted by 1967, 147:13 by inserting after paragraph VII the following new paragraphs:

VIII. If any person shall install a sewage or waste disposal system in a manner contrary to plans and specifications approved by the commission the commission shall revoke its approval thereof and the applicant shall be fined not more than one thousand dollars.

IX. Any person submitting plans for a subdivision or for a waste disposal system, under the provisions of this chapter

shall be solely responsible for the accuracy and reliability of all data relating to said plans and shall submit said plans under the penalties of perjury provided, however, that if such person shall have engaged the services of a competent engineer for the preparation of said plans, said engineer shall be liable for the accuracy and reliability of all data relating to said plans and said plans shall be submitted by the engineer under the penalties of perjury.

Amend section 4 of said bill by inserting at the end thereof the words (Any person who personally installs a sewage or waste disposal system the same to serve his own property, shall be exempt from the certificate requirements of this section.) so that said section as amended shall read as follows:

4 Person Engaged in Business of Installing Sewage Systems. Amend RSA 149-E (supp) as inserted by 1967, 147:13 by inserting after section 6 the following new section: 149-E:6-a Certificate Required. No person, firm or corporation engaged in or working at the business of installing sewage or waste disposal systems, as described in this chapter, shall engage in or work at said business without first obtaining a certificate from the water supply and pollution control commission for so doing. The provisions of this section shall not be utilized as a means for preventing persons from entering the business of installing sewage or waste disposal systems, but rather shall be employed as a mechanism of assuring adherence to the provisions of this chapter. The commission shall issue a certificate to any person or persons applying for same who demonstrates a sound working knowledge of the procedures and practices required in the installation of sewage and waste disposal systems. Said certificate shall be renewable from year to year upon proper application and shall be nontransferable. The certificate issued to any person, firm or corporation shall be revoked only for just cause and after such person, firm, or corporation has been given full opportunity to be heard by the commission. The annual fee for each certificate issued hereunder shall be \$25.00 and all fees collected under this section shall be paid into the state treasury by the commission. Any person who personally installs a sewage or waste disposal system the same to serve his own property, shall be exempt from the certificate requirements of this section.

Amend section 6 of said bill by striking out the figure "\$83,600" and inserting in place thereof the figure (\$84,750)

and by striking out the figure "\$80,600" and inserting in place thereof the figure (\$84,750) so that said section as amended shall read as follows:

6 Appropriation. In addition to other funds made available to the water supply and pollution control commission, there is hereby appropriated the sum of \$84,750 for the fiscal year ending June 30, 1970 and the sum of \$84,750 for the fiscal year ending June 30, 1971, for the purposes of RSA 149-E. The sums hereby appropriated shall be a charge upon the general funds of the state and the governor shall be authorized to draw his warrants for said sums from any money in the treasury not otherwise appropriated.

\* \* \*

Amendment adopted by vv. Referred to Appropriations under the Rules.

#### **HB 380**

relative to the mode of acquisition of dams by the state. Ought to pass. Rep. Claffin for Resources, Recreation and Development.

Rep. Williamson offered the following amendment and moved that the Rules of the House be so far suspended as to dispense with the reading of the amendment.

#### **AMENDMENT**

Amend Section 2 of the Bill by striking out said section and inserting in place thereof the following:

2 Water Resources Board. Amend RSA 481:3, III by inserting at the end thereof the following: (Provided however that no existing dam or any real property appurtenant thereto or any rights and easements in either may be acquired pursuant to the authority to this section or any other provision of law except an act of the legislature which authorizes the acquisition of a particular dam, its real property, rights or easements) so that said section as amended shall read as follows: III. To acquire in the name of the state by purchase, condemnation, lease, or otherwise, real property and rights and easements therein deemed by it necessary or desirable for its corporate purposes, and to use such property. Provided however, that no *existing* dam or any real property appurtenant thereto or any

rights and easements in either may be acquired pursuant to the authority of this section or any other provision of law except an act of the legislature which authorizes the acquisition of a particular dam, its real property, rights or easements.

\* \* \*

Rep. Clallin moved that HB 380 be made a special order for 11:02 Tuesday next and spoke in favor of the motion.

Motion adopted by vv.

#### **HB 82**

increasing the poll tax from two to five dollars. Inexpedient to legislate. Rep. Leavitt for Ways and Means.

Resolution adopted by vv.

#### **HB 338**

relative to the assessment of a poll tax for state and local purposes to replace the head tax. Inexpedient to legislate. Rep. Leavitt for Ways and Means.

Resolution adopted by vv.

#### **HB 381**

relative to the filing of a financial statement by organizations seeking tax exemptions. Ought to pass with amendment. Rep. Nixon for Ways and Means.

### **AMENDMENT**

Amend said bill by striking out section I and inserting in place thereof the following:

I Charitable Organizations. Amend RSA 72:23, VI (supp) as amended by 1955, 157:1 and 1957, 202:2 by inserting in line seven after the word "exemption" the following (A duplicate copy of said statement shall be filed annually by June first with each tax assessor or assessing official of the city or town in which the property for which the tax exemption is being sought is located) so that said paragraph as amended shall read as follows: VI. Every charitable organization or society, except those religious and educational organizations and societies whose real estate is exempt under the provisions of III and IV above, shall annually before June first file with the state tax commission upon a form prescribed and provided by the tax com-

mission a statement of its financial condition for the preceding fiscal year and such other information as may be necessary to establish its status and eligibility for tax exemption. A duplicate copy of said statement shall be filed annually by June first with each tax assessor or assessing official of the city or town in which the property for which the tax exemption is being sought is located.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

#### **HB 404**

to establish a kindergarten program. Inexpedient to legislate. Rep. Dunham for Education.

Rep. Raiche moved the words "ought to pass" be substituted for the committee report "inexpedient to legislate" and spoke in favor of the motion and subsequently withdrew his motion.

\* \* \*

#### **PARLIAMENTARY INQUIRY**

Rep. O'Neil rose on a point of parliamentary inquiry.

**Rep. Cares:**

Mr. Speaker, I rise today to give notice to the House that on this bill I shall abstain from voting under the provision of Rule 16. House rule 16 states very emphatically that no member shall vote on any question in which he is directly interested. I run a private kindergarten. I am therefore directly interested. I have an interest in the bill before you and I am therefore obliged to invoke this Rule. The Chair has always maintained that the choice is entirely up to the member as far as Rule 16 is concerned. I submit that this is an improper interpretation. The choice to which the member is entitled is the decision concerning the interest and not the decision concerning Rule 16. If a member receives money or other consideration which is affected by the vote on any issue then he has an interest and is obliged under the Rules of the house to refrain from voting on the question. The member must invoke the



provisions of Rule 16. There are areas in which the question of interest is not clear and that is the area in which the member must examine his own conscience and make his own decision on the interest but not on the application of the Rule. I object to the inferences that were cast on the floor of this house by such questions of the members as: are you an attorney, an insurance agent, grocery clerk, a restaurant owner, things of this nature, but the individual member also has an obligation not to speak or to vote on any issue in which he is interested. We don't have a conflict of interest law in this state and I don't want one, so I repeat you have an obligation to examine your own conscience. I have examined mine and I will refrain from voting on this issue and wish to be so recorded.

\* \* \*

**Speaker:**

The chair would state that there are two requirements regarding conflict of interests that apply to the members of the house. The first and most significant is not Rule 16 but is Article 7 of the second part of the constitution which reads as follows: "*Members of legislature not to take fees or act as counsel.* No member of the general court shall take fees, be of counsel, or act as advocate, in any cause before either branch of the legislature; and upon due proof thereof, such member shall forfeit his seat in the legislature."

The chair would submit that the provisions of Article 7 called in the constitution call for judicial review and are not within the powers of the house to enforce or prosecute and again would have to be a matter for court litigation before they could come up under the Rules of the house. Rule 16 which was read to you states that no member shall vote on any question in which he is directly interested nor in any case where he was not present when the question was put nor sit upon any committee when he is directly interested in the question under consideration. In case of such interest of a member of a committee the fact shall be reported to the house and another person may be substituted to the committee on that question in his place. The question of Rule 16 comes down to what directly interested really means in a house that has a compensation level set at \$200 for a two year period and with mileage expenses that does not meet the per diem expenses of those people staying over-



night. Obviously, all members of the house have to have some other source of income in order to exist, never mind to live luxuriously. Therefore the question in the past has usually been interpreted to mean that if a member is a banker, garage man or a storekeeper, he is entitled to vote on banking, garage or storekeeping legislation. However, if he represents on a paid basis or on a fee basis an organization of bankers, garage men or storekeepers and is representing more than his own individual interests in a specific industry, then he should in his own conscience take Rule 16 and members have done this in the past. If he is a banker, storekeeper, or a garage man or some other industry and a specific bill is going to directly benefit each member of that industry in a substantial manner, then it would be the chair's suggestion to a member that he then again take Rule 16, but if it simply affects the course of operation of that entire industry and not the specific individual in question, it would be the chair's suggestion that the member not be required to take Rule 16. It is the Chair's interpretation in the past that unless a specific complaint is lodged with the chair, that every member must act in his own best conscience. If at any time there is a specific complaint about a specific member's activity, then the burden of proof would be on the member making the complaint to justify why further action should be taken by a respective body of the legislature.

Rep. Raiche moved that the remarks by Rep. Cares and the Speaker be printed in today's Journal.

Motion adopted by vv.

The question now being on the resolution of the committee on HB 404.

Resolution adopted by vv.

#### **HB 407**

appropriating an emergency fund to be used by the department of education to assist school districts in a hardship situation caused by the closing of a non-public school. Inexpedient to legislate; subject matter covered by previous legislation. Rep. Dunham for Education.

Resolution adopted by vv.

#### **HB 431**

establishing a junior college system and making an appro-

priation therefor. That it be referred to the Legislative Council.  
Rep. Dunham for Education.

Rep. Raiche moved that the words "ought to pass" be substituted for the committee report "That it be referred to the Legislative Council", and spoke in favor of the motion.

Rep Mackintosh spoke against the motion.

(discussion ensued)

Rep. Greene explained the committee resolution.

Rep. Stevenson explained the committee resolution.

(discussion ensued)

Rep. Maloomian moved the previous question and it was sufficiently seconded.

The question being, shall the main question now be put.

Motion adopted by vv.

Rep. Raiche requested a division.

The Chair explained the parliamentary situation.

### PARLIAMENTARY INQUIRY

Reps. Carrier, Raiche, Angus and A. George Manning rose on a point of parliamentary inquiry.

The question being that the words "ought to pass" be substituted for the committee resolution "That it be referred to the Legislative Council".

40 members having voted in the affirmative and 225 in the negative, the motion lost.

The question now being on the committee resolution.

Referred to the Legislative Council.

### ENGROSSED BILLS COMMITTEE REPORT

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled Senate Bill:

SB 29, An Act creating a commission to study approved non-public school problems in the state.

Roxie A. Forbes  
For the Committee

**HB 212**

providing for the assessment and collection of a special head tax for state purposes. Ought to pass. Rep. Brocklebank for Ways and Means.

Rep. Ratoff moved that HB 212 be withdrawn and placed on the calendar for 11:01 Wednesday next and spoke in favor of the motion.

Motion adopted by vv.

**HB 265**

The Chair called for the special order on HB 265, relative to foster care services for certain children and youth and making an appropriation therefor. Ought to pass with amendment. Rep. Merrill for Labor, Human Resources and Rehabilitation.

**AMENDMENT**

Amend RSA 170-B:1, I as inserted by section 1 of the bill by striking out in line two the word "school" and inserting in place thereof the words (public high school or its equivalent) so that said paragraph as amended shall read as follows:

I. Children and Youth: Any child under eighteen years of age, or under twenty-one years of age if still in public high school or its equivalent, who is under the care, custody, control or supervision of the director of welfare, the superintendent of the New Hampshire Industrial School, or any child-placing agency licensed by the division of welfare who is found to require foster care placement and whose support requires the use of public funds other than aid to families with dependent children in whole or in part.

Amend RSA 170-B:4 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

170-B:4 Education. The school district in which the child was originally found to be neglected, or in which the child originally came under the care, custody, control or supervision of the director of welfare, the superintendent of the New Hampshire Industrial School, or any child-placing agency licensed by the division of welfare, shall bear the expense of his tuition as long as he is in public school and is under the care, custody, control or supervision of the director of welfare, the superintendent of the

New Hampshire Industrial School, or any child-placing agency licensed by the division of welfare. The director shall bill the school district legally chargeable for his tuition and shall reimburse the school district in which he is now enrolled. The tuition shall be based on the average tuition in the state the previous year.

Amend section 2 of the bill by striking out said section and inserting in place thereof the following:

2 Appropriation. For the purpose of this act there is hereby appropriated, to be expended by the department of health and welfare, division of welfare, the sum of nine hundred seventy-six thousand, one hundred eighty-four dollars for fiscal 1970 and the sum of nine hundred ninety-two thousand, two hundred forty-five dollars for fiscal 1971 as follows:

	1969-70	1970-71
Administration:		
Permanent Personnel		
(1) Auditor I	\$ 4,344	\$ 4,563
(1) Key Punch Operator	3,696	3,825
(1) Statistician I	5,669	6,024
Total Permanent Personnel	\$13,709	\$14,412
Current Expenses	1,320	1,120
Equipment	2,500	
Other	467	494
Total Administration	17,996	16,026
Board and Care	408,588	418,219
Local Share	549,600	558,000
Total	\$976,184	\$992,245
State Share	426,584	434,245
Local Share	549,600	558,000

The governor is authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.

Amend section 3 of the bill by striking out the same and inserting in place thereof the following:

3 Foundation Aid. Amend RSA 193:18-b as inserted by 1955, 227:1 and as amended by 1955, 263:1 and 1961, 250:1 by striking out in lines seven, eight and nine the words "for the

fiscal years 1961-62 and 1962-63, children placed in 'homes for children' in the second preceding year shall be credited in average daily membership to the district in which said home was located," and inserting in place thereof the words (children placed in "homes for children" shall be credited in average daily membership to the district in which said child was originally found to be neglected or in which said child originally came under the care, custody, control or supervision of the director of welfare, the superintendent of the New Hampshire Industrial School or any child-placing agency licensed by the division of welfare) so that said section as amended shall read as follows: 193:18-b Right of Attendance. Whenever any child is placed and cared for in any home for children, such child, if of school age, shall be entitled to attend the public schools in the school district in which said home is located, unless such placement was solely for the purpose of enabling a child residing outside said district to attend the schools thereof. For the purpose of computing foundation aid in accordance with RSA 198:8-12 children placed in "homes for children" shall be credited in average daily membership to the district in which said child was originally found to be neglected or in which said child originally came under the care, custody, control or supervision of the director of welfare, the superintendent of the New Hampshire Industrial School or any child-placing agency licensed by the division of welfare.

Further amend the bill by inserting after section 3 the following new section:

4 Effective Date. This act shall take effect sixty days after its passage.

Amendment adopted by vv. Referred to Appropriations under the Rules.

The Chair called for the committee report on HB 233, relative to hospital licensing. Ought to pass with amendment. Rep. Cleon Heald for Public Health, Welfare and State Institutions.

#### AMENDMENT

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Institutions Needing License. Amend RSA 151:2 as

amended by 1959, 236:1 by striking out said section and inserting in place thereof the following: 151:2 Requirement for License. No hospital or other institution, building, residence, private home, or other place or part thereof, however named, whether operated for profit or not, which is advertised, offered, maintained or operated by the ownership or management, whether for a consideration or not, for the express or implied purpose of providing diagnosis or treatment, or medical, nursing, obstetrical, or other remedial or personal care or supervision or sheltered services for persons who are suffering from illness, injury, deformity, infirmity, or other physical or mental handicap shall be established, conducted or maintained in this state without first obtaining a license therefor in the manner hereinafter provided. However nothing herein shall be construed as requiring the licensing of facilities which are maintained and operated for the continuing care of one person; of facilities maintained and operated for the sole benefit of persons related to the owner or manager by blood or marriage within the third degree of consanguinity; of physicians' offices and related facilities, or of facilities which may be exempted by rules lawfully promulgated hereunder.

\* \* \*

The question being on the adoption of the committee amendment.

Amendment adopted and the bill ordered to third reading by vv.

\* \* \*

The Chair ordered HB 351, to provide for absentee ballot voting in primary elections, out of Committee and placed on the calendar for Wednesday, April 2nd.

The following House Bills were granted a six day extension by the Chair.

HB 336, to protect patient's confidential communications to psychiatrists and other psychotherapists. Judiciary

HB 340, establishing an office of consumer counsel in the office of the governor, and making an appropriation therefor. Executive Departments & Administration



HB 341, relative to counsel fees and interest in workmen's compensation cases. Labor, Human Resources & Rehabilitation

HB 349, to establish the unclassified position of assistant commissioner of safety and making an appropriation therefor. Executive Departments & Administration

HB 357, providing shift differential compensation for state employees and making an appropriation therefor. Labor, Human Resources & Rehabilitation

HB 364, relative to educational leave in the department of health and welfare. Labor, Human Resources & Rehabilitation

\* \* \*

### RECONSIDERATION

Rep. deBlois, having voted with the majority, moved that the House reconsider its action whereby it killed HJR 39, appropriating funds for surveying and reconstructing route U. S. 302 in Bartlett, and spoke against the motion.

Rep. Trowbridge spoke against the motion.

Motion lost by vv.

\* \* \*

On motion of Rep. Stafford the House adjourned from the early session and the Rules of the House were so far suspended as to permit reading of bills by titles only, and that when the House adjourns today it be to meet Tuesday next at 11:00 o'clock.

### LATE SESSION THIRD READINGS

The following bills were read a third time, passed, and sent to the Senate for concurrence.

HB 346, relative to the council of resources and development.

HB 165, to give the superior court power to compel disclosure of insurance coverage.

HB 372, relative to actions for fraud.

HB 381, relative to the filing of a financial statement by organizations seeking tax exemptions.

HB 233, relative to hospital licensing.

\* \* \*

Rep. Vachon moved that the Rules of the House be so far suspended as to permit the introduction of a committee report not previously advertised in the Journal and spoke in favor of the motion.

Rep. Morrill spoke in favor of the motion.

Motion adopted by vv.

### COMMITTEE REPORT

#### HB 467

relative to appropriations for mass transportation in the city of Manchester. Ought to pass with amendment. Rep. Morrill for Transportation.

### AMENDMENT

Amend the title of said bill by striking out the same and inserting in place thereof the following:

#### AN ACT

relative to appropriations for mass transportation  
in the city of Manchester.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 City of Manchester. The city of Manchester may raise and appropriate such sums of money as may be necessary to aid in, or contribute to, a mass transportation system for said city, or to acquire, own and operate or cause to be operated a mass transportation system in said city or area, as public necessity or convenience may require.

2 Application of Statutes. The provisions of RSA 38-A shall not apply to the city of Manchester.

3 Referendum. At the municipal election to be held in the city of Manchester in November, 1969, the city clerk then

in office shall cause to be included on the ballot then used the following question: "Shall the provisions of an act of the General Court of 1969 relative to appropriations for mass transportation in the city of Manchester be adopted?" Beneath this question shall be printed the word "Yes" and the word "No" with a square immediately opposite such word in which the voter may indicate his choice. If a majority of the voters present and voting on the question shall signify their approval thereof, the act shall be declared to have been adopted. The city clerk of the city of Manchester shall, within ten days after said election, certify to the secretary of state the result of the vote on the question.

4 Effective Date. The provision of section 3 shall take effect upon its passage and sections 1 and 2 shall take effect if adopted at the referendum as herein provided.

\* \* \*

The clerk read the amendment in full.

Amendment adopted and the bill ordered to third reading by vv.

\* \* \*

### THIRD READING

HB 467, relative to appropriations for mass transportation in the city of Manchester was read a third time, passed, and sent to the Senate for concurrence.

\* \* \*

On motion of Rep. Hayes the House adjourned at 1:00 P.M. in memory of former Probate Judge of Carroll County, Preston B. Smart.

*Tuesday, April 1, 1969*

The House met at 11:00 o'clock.

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

#### PRAYER

O GOD, by whom the meek guided in judgement, and light riseth up in the darkness for the godly; grant us, in all our doubts and uncertainties, the grace to ask what Thou wouldst have us do, that the spirit of wisdom may save us from all false choices, and that in Thy light we may see light, and in Thy straight path may not stumble; through Jesus Christ our Lord, who taught us all to pray—"Our Father in heaven: Holy be your Name, Your Kingdom come, Your will be done, on earth as in heaven. Give us today our daily bread. Forgive us our sins, as we forgive those who sin against us. Save us in the time of trial, and deliver us from evil. For yours is the kingdom, the power and glory forever. Amen."\*\*

(\*\*This version of THE LORD'S PRAYER is the result of 15 Christian Denominations working together to find a common expression. This version represents the conclusions of 9 denominations involved in the Consultation on Church Union, 5 Lutheran bodies, and the Roman Catholic Church.)

#### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. MacKenzie led the House in the Pledge of Allegiance to the Flag.

#### LEAVES OF ABSENCE

Rep. James Allen was granted leave of absence for the day on account of illness.

Reps. Berkey and Clement were granted leave of absence for the day on account of important business.

Rep. Hunt was granted leave of absence for today and Wednesday on account of important business.

Rep. Chamberlin was granted leave of absence for the week on account of important business.

## RESOLUTION

Rep. McMeekin offered the following resolution:

Resolved, that in accordance with the list in the possession of the clerk, House Bills numbered 569 through 580 and 582 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.

## INTRODUCTION OF BILLS

The following bills were read a first and second time, laid on the table for printing and referred as follows:

HB 569, relating to the power of state police employees in municipalities. (Andrews of Merrimack Dist. 1 — To Municipal & County Government.)

HB 570, relative to allowing municipalities to appeal certain tax abatements granted by the tax commission. (MacDonald of Merrimack Dist. 25 — To Municipal & County Government.)

HB 571, providing that there shall be three deputy sheriffs in Strafford county. (Clark of Strafford Dist. 4, Maglaras of Strafford Dist. 20 — To Strafford Delegation.)

HB 572, relative to the charter of Appleton Academy in New Ipswich. (Karnis of Hillsboro Dist. 8 — To Education.)

HB 573, relative to the department of centralized data processing. (Capistran of Hillsboro Dist. 38 — To Executive Departments & Administration.)

HB 574, placing the state motto on certain license plates. (Lawton of Belknap Dist. 2 — To Transportation.)

HB 575, relative to state financing of secular education in nonpublic schools and making an appropriation therefor. (RULES COMMITTEE for Stafford of Belknap Dist. 12, Raiche of Hillsboro Dist. 34 — To Appropriations.)

HB 576, to increase the tax on legacies and successions. (Logan of Sullivan Dist. 1 and Johnson of Grafton Dist. 9 — To Ways and Means.)

HB 577, to increase the tax on transfer of real property. (Logan of Sullivan Dist. 1, Johnson of Grafton Dist. 9 — To Ways and Means.)

HB 578, relative to Woodsville Fire District. (RULES COMMITTEE for McMeekin of Grafton Dist. 6 — To Municipal & County Government.)

HB 579, establishing certain rights of public school teachers, prohibiting certain practices which are inimical to the welfare of the public schools, and providing for the orderly and peaceful resolution of disputes between public school teachers and school boards. (Greene of Rockingham Dist. 22 — To Education.)

HB 580, to provide adequate care for disadvantaged children. (Cobleigh of Hillsboro Dist. 15 — To Appropriations.)

Rep. Logan moved that the Rules of the House be so far suspended as to permit the introduction of a House bill containing an appropriation after the March 1 deadline. (House Rule 45-a adopted January 9, 1969, House Journal, pp. 139-140).

Motion adopted by vv.

## INTRODUCTION OF A BILL

HB 581, to establish a full-time motor vehicle division office in the town of Salem. (Morrill of Rockingham Dist. 7 To Appropriations.)

Rep. Stafford offered the following Resolutions:

## RESOLUTION

*Whereas*, there is pending before the House of Representatives House Bill No. 575, An act relative to state financing of secular education in nonpublic schools and making an appropriation therefor, and

*Whereas*, said act would provide state funds for the teaching of secular subjects in nonpublic schools, including parochial schools, and

*Whereas*, questions have been raised concerning the constitutionality of said bill, therefore, be it



*Resolved*, that the Justices of the Supreme Court be respectfully requested to give their opinions upon the following questions of law;

1 Would any constitutional provisions of the state or of the United States be violated by providing state funds for the teaching of secular subjects in nonpublic schools?

2 Would the enactment of House Bill No. 575 violate any constitutional provisions of the state or of the United States?

*Be it Further Resolved* that the Speaker transmit seven copies of this resolution and of House Bill No. 575 to the Clerk of the Supreme Court for consideration by said court.

Rep. Stafford explained the resolution.

Reps. Stevenson and Raiche spoke in favor of the resolution.

Resolution adopted by vv.

Reps. Phil Bennett and McMeekin moved that the Rules of the House be so far suspended as to dispense with the printing of HB 582, legalizing the Haverhill cooperative school district meeting held October 7, 1968, and further dispense with reference to committee, public hearing and that the bill be placed on third reading and final passage at the present time.

The Clerk read the bill in full.

House Bill 582, introduced by Rules Committee for Rep. Bennett of Grafton Dist. 6. Referred to Committee on Statutory Revision.

## STATE OF NEW HAMPSHIRE

*In the year of Our Lord one thousand  
nine hundred and sixty-nine*

### AN ACT

legalizing the Haverhill cooperative school district  
meeting held October 7, 1968.

*Be it Enacted by the Senate and House of Represen-  
tatives in General Court convened:*

1 Meeting Legalized. All votes and proceedings taken at the meeting of the Haverhill cooperative school district which

was held October 7, 1968 are hereby legalized, ratified and confirmed.

2 Effective Date. This act shall take effect upon its passage.

Reps. McMeekin and Phil Bennett spoke in favor of the motion.

(discussion ensued)

Motion adopted by vv.

### THIRD READING

HB 582, legalizing the Haverhill cooperative school district meeting held October 7, 1968, was read a third time, passed, and sent to the Senate for concurrence.

### COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred HB 160, An Act relative to expiration date for trapping licenses and required report of yearly catch, having considered the same report the same with the recommendation that the Senate recede from its position in adopting its amendment to said bill, that the House recede from its position of nonconcurrence and that the Senate and House concur in the adoption of the following amendment to said bill.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act relative to expiration dates for licenses for trapping and for fur buyers and required report of yearly catch.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 License Relative to Fur-Bearing Animals. Amend RSA 210 by inserting after section 19 the following new subdivision:

#### Licenses for Trapping and Fur Buying

210:20 Expiration Date. Notwithstanding any of the general provisions for the expiration of fish and game licenses, any license to trap fur-bearing animals and any license to buy furs under RSA 214:24 shall expire on June thirtieth of each year.

210:21 Report of Catch. On or before June thirtieth of each year, every person licensed to take fur-bearing animals shall report his catch to a conservation officer for the year.

210:22 Penalty. A person who fails to make the report provided for in section 21 shall be fined not more than fifty dollars.

2 Continuity of License. Any license to trap fur-bearing animals or any license for the business of fur-buyers issued for the period beginning January 1, 1970, shall be valid until June 30, 1971.

3 Effective Date. This act shall take effect June 30, 1970.

Sen. Russell Allison  
Sen. Elmer T. Bourque  
Conferees on the part of the Senate  
Rep. Roger Hunt  
Rep. J. D. Hayes  
Rep. N. H. Chamberlin  
Conferees on the part of the House

Report was adopted.

#### SENATE MESSAGE

The Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill;

HB 160 (as above)

#### SENATE MESSAGE, INTRODUCTION OF SENATE BILLS AND REFERRAL

The following Senate Bills were read a first and second time and referred as follows:

SB 31, relative to a periodic verification of the check-list. Municipal & County Government.

SB 76, establishing the New Hampshire Bicentennial Commission on the American Revolution, and providing an appropriation thereof. Appropriations.

SB 77, to extend the amount and repayment time of loans and to provide for unsecured loans for any purpose made by cooperative banks and building and loan associations. Banks and Insurance.

SB 106, relative to penalties for operating a motor vehicle after suspension or revocation of licens. Transportation.

## ENGROSSED BILLS COMMITTEE REPORT

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bills, Senate Bills and House Joint Resolutions:

HB 298, An Act relative to procedure for annexation of a school district to a cooperative school district.

HB 232, An Act authorizing the director to make regulations relative to importing or releasing wild life in this state.

HB 307, An Act defining a handicapped child.

HB 334, An Act relative to application of old age and survivors insurance relative to officials of political subdivisions.

HB 348, An Act to amend the charter of Kimball Union Academy.

SB 69, An Act relative to distribution of parimutuel taxes to agricultural fairs.

SB 72, An Act to qualify the small business administration to be an originating or participating lender under cooperative banks and building and loan association statutes.

HJR 15, Joint Resolution in favor of Madeline F. Fairbanks.

HJR 16, Joint Resolution relative to Joseph Sandquist.

HJR 22, Joint Resolution in favor of Alice V. Flanders.

HJR 26, Joint Resolution in favor of Thomas Binmore.

HB 140, An Act relative to time and place for holding probate court in Rockingham county.

HB 169, An Act relative to landowner's duty of care to users of snow traveling vehicles.

SB 5, An Act relative to bail and recognizance reform.

SB 38, An Act to make it unlawful to require a fee other than the insurance premium on the substitution of one insurance policy for another as security on a loan.

HB 46, An Act to prohibit motorboats on Big and Little Cherry Ponds in Jefferson.

HB 93, An Act changing the deadline for submission of articles to be inserted in the warrant.

HB 96, An Act providing for the appointment of certain officers at additional polling places and authorizing the administration of certain oaths.

HB 98, An Act relative to absentee voting in municipal elections in Nashua.

HB 102, An Act to authorize town treasurers to appoint deputy town treasurers.

HB 147, An Act relative to the larceny of deer, or bear.

HB 156, An Act increasing fees of agents for issuance of fish and game licenses.

HB 168, An Act relative to the issuance of special fishing permits by certain state institutions.

HB 171, An Act relative to filing declarations of candidacy for delegate to a national convention.

HB 186, An Act to provide for biennial hearing before fish and game commission.

HB 196, An Act establishing a police commission for the town of Conway.

HB 237, An Act authorizing Pierce College for Women to grant certain degrees.

HB 220, An Act relative to power of McIntosh College, Inc., to grant degrees.

HB 250, An Act requiring that perambulations of town lines be filed with the secretary of state.

HB 251, An Act to increase maximum penalty for violating town by-laws.

HB 297, An Act relative to general housekeeping changes in the laws concerning the state board of education.

Roxie A. Forbes,  
for the Committee

## FURTHER SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in its amendments to the following Senate Bills:

SB 5, relative to bail and recognizance reform.

SB 38, to make it unlawful to require a fee other than the insurance premium on the substitution of one insurance policy for another as security on a loan.

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 169, relative to landowner's duty of care to users of snow traveling vehicles.

HB 303, relative to the operation of motorcycles.

## CONCURRENT RESOLUTION NO. 11

Reps. Drake and Prescott introduced the following HCR No. 11:

*Whereas*, the General Court is greatly concerned with the cost of financing Title IV, the Aid to Families with Dependent Children Program, and

*Whereas*, the present provisions will impose upon the State beginning July 1, 1969, because of the "Freeze" portion of said title, a great financial burden,

*Now therefore be it resolved by the House of Representatives, the Senate concurring:*

That it respectfully requests the Congress of the United States to reevaluate the present and prospective costs of Title IV, the Aid to Families with Dependent Children Program, which under the present federal legislation will be excessive and require unrealistically large contributions by the state, and to make revisions in said federal statutes to repeal the "freeze" portion so as to bring state costs of the same within realistic bounds, and

*Be it further resolved* that the clerks of the House and Senate of the General Court of New Hampshire be directed to transmit a copy of these resolutions to all four members of the



New Hampshire congressional delegation and to the clerks of the federal House of Representatives and Senate.

Rep. Drake spoke in favor of the resolution.

Resolution adopted by vv.

### ENGROSSED BILLS REPORT

The Committee on Engrossed Bills to whom was referred Senate Bill No. SB 25, having considered the same, report the same under Joint Rule No. 15 with the following amendment, and the recommendation that the bill as amended ought to pass.

SB 25, An Act relative to the reduction of minimum term of prisoners for donation of blood.

Amend section 1 of the bill by striking out line four and inserting in place thereof the following:

607:51-a Reduction of Minimum Term for Donation of Blood. Any prisoner

Roxie A. Forbes  
For the Committee

Report adopted.

\* \* \*

The Chair recalled HB 265, relative to foster care services for certain children and youth and making an appropriation therefor.

### RECONSIDERATION

Rep. Merrill, having voted with the majority, moved that the House reconsider its action whereby it adopted a certain amendment to HB 265.

Motion adopted by vv.

Rep. Merrill moved that the House adopt the amendment as printed in the Journal of March 20 on pages 1140 and 1141 and spoke in favor of the motion.

The Clerk read the amendment in full.

### AMENDMENT

Amend RSA 170-B:1, I as inserted by section 1 of the bill by striking out in line two the word "school" and inserting in place thereof the words (public high school or its equivalent) so that said paragraph as amended shall read as follows:

I. Children and Youth: Any child under eighteen years of age, or under twenty-one years of age if still in public high school or its equivalent, who is under the care, custody, control or supervision of the director of welfare, the superintendent of the New Hampshire Industrial School, or any child-placing agency licensed by the division of welfare who is found to require foster care placement and whose support requires the use of public funds other than aid to families with dependent children in whole or in part.

Amend RSA 170-B:4 as inserted by section 1 of the bill by striking out said section.

Amend RSA 170-B:5 as inserted by section 1 of the bill by renumbering said section to read 170-B:4.

Amend section 2 of the bill by striking out said section and inserting in place thereof the following:

2 Appropriation. For the purposes of this act there is hereby appropriated, to be expended by the department of health and welfare, division of welfare, the sum of nine hundred seventy-six thousand, one hundred eighty-four dollars for fiscal 1970 and the sum of nine hundred ninety-two thousand, two hundred forty-five dollars for fiscal 1971 as follows:

Administration:	1969-70	1970-71
Permanent Personnel		
(1) Auditor I	\$4,344	\$4,563
(1) Key Punch Operator	3,696	3,825
(1) Statistician I	5,643	6,024
Total Permanent Personnel	\$13,709	\$14,412
Current Expenses	1,320	1,120
Equipment	2,500	....
Other	467	494
Total Administration	\$17,996	\$16,026
Board and Care	408,588	418,219
Local Share	549,600	558,000
Total	976,184	992,245
State Share	426,584	434,245
Local Share	549,600	558,000

The governor is authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.

\* \* \*

At the request of Rep. deBlois, Rep. Merrill answered a question.

The question being on the correct committee amendment to HB 265.

Amendment adopted by vv.

HB 265 was referred to Appropriations under the Rules.

### COMMITTEE REPORTS

#### HB 378

relative to Thompson school of applied science at the university. Ought to pass. Rep. Underwood for Agriculture.

Ordered to third reading by vv.

#### HB 391

relating to filing notices under the timber conservation act and requiring an owner to furnish security for payment of the yield tax. Ought to pass. Rep. Underwood for Agriculture.

Ordered to third reading by vv.

#### HB 430

establishing an office of economic policy and making an appropriation therefor. Ought to pass. Rep. Shirley Clark for Executive Departments and Administration.

Referred to Appropriations under the Rules.

#### SB 82

permitting James C. Small to become a member of the New Hampshire Retirement System. Ought to pass. Rep. Moran for Executive Departments and Administration.

Referred to Appropriations under the Rules.

#### HB 486

providing for an associate justice and a deputy clerk for the Manchester District Court and increasing the maximum salary provision for justices of district courts. Ought to pass. Rep. Vachon for Executive Departments and Administration.

Rep. Bridges moved that HB 486 be laid on the table.

Motion adopted by vv.

**HB 397**

providing for the acquisition of certain lands to provide for the construction of a lake management structure at the outlet of Lake Gardner in Bath and making an appropriation therefor. Inexpedient to legislate. Rep. Claflin for Resources, Recreation and Development.

Resolution adopted by vv.

**HB 468**

relative to compliance with the classification requirements in the Pemigewasset River watershed. Ought to pass with amendment. Rep. Claflin for Resources, Recreation and Development.

**AMENDMENT**

Amend section 2 of said bill by striking out in line nine the word "January" and inserting in place thereof the word (March) so that said section as amended shall read as follows:

2 Extension. Notwithstanding the provisions of section 1 hereof, the water supply and pollution control commission may grant such additional time beyond September 1, 1969 as may be necessary to allow any person to abate pollution in violation of the duly adopted classification; provided, however, that in no circumstances shall the commission grant any such time extension unless the person or persons involved shall have submitted an acceptable plan for the abatement of pollution not later than April 1, 1969 and shall have furnished the commission with adequate assurance that the necessary abatement facilities will be constructed and in operation not later than March 1, 1970.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

**HB 366**

relative to hawker's and peddler's licenses. Inexpedient to legislate. Rep. Burleigh for Statutory Revision.

Resolution adopted by vv.

**SB 84**

providing that a so-called Massachusetts trust, doing business in the state, shall be considered a foreign corporation.

Ought to pass with amendment. Rep. McMeekin for Statutory Revision.

### AMENDMENT

Amend said bill by striking out section 1 and inserting in place thereof the following:

1 Foreign Corporations, Registration. Amend RSA 300 by inserting after section 3 the following new section: 300:3-a Massachusetts Trust. Any so-called Massachusetts trust or business trust established by law of any other state, desiring to do business in this state, shall be deemed to be a foreign corporation and shall be required to register under, and comply with the provisions of, this chapter.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

#### SB 96

relative to the creation of the New Hampshire Vermont District of the Unitarian Universalist Association. Ought to pass. Rep. Burleigh for Statutory Revision.

At the request of Rep. deBlois, Rep. Burleigh explained the bill.

Ordered to third reading by vv.

#### SB 47

relative to foreign partnerships. Ought to pass. Rep. Shirley for Statutory Revision.

Ordered to third reading by vv.

\* \* \*

The Chair called for special order at 11:01.

#### CA-CR 4

establishing a four year term for governor and limiting any person to two consecutive terms. Ought to pass with amendment. Rep. Battenfeld for the committee.

Rep. Lawton spoke against the resolution.

(discussion ensued)

Reps. Coggeshall, Shirley and Cares spoke in favor of the resolution.

Rep. Mabel Richardson spoke against the resolution.

(Rep. Bridges in the Chair)

(discussion ensued)

Reps. Wallin and Andrews spoke in favor of the resolution.

(Speaker in the Chair)

(discussion ensued)

Reps. Nixon and Trowbridge spoke in favor of the resolution.

Rep. Richard Smith spoke against the resolution.

(discussion ensued)

## JOINT CONVENTION

The Joint Convention met at 1:00 o'clock.

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

## PRAYER

ALMIGHTY GOD, comfort the brokenhearted who mourn this day. We would lift up to Thee the life and memory of Thy servant, the former President, Dwight David Eisenhower, whom Thou hast called in love to rest from his many labors. As in mortal life he became the inspiration to many, so in death may his memory dwell richly in our hearts and firmly in our minds. We would also honor the life and memory of Francis W. Tolman, Clerk of our New Hampshire House of Representatives. We would remember his friendly smile, his words of encouragement, and his faithful work.

\* \* \*

We have met on this day in sorrow, but Thou, O Lord, in Thy great mercy, hast given us cause to honor one of our own number who has been challenged to greater service. As we reflect upon the many works of our Senate President, Stewart



Lamprey; as we honor his stewardship we appreciate his service and devotion to our "Granite State." As he prepares to enter the service of our Federal Government, may Thy blessing and love go with him.

\* \* \*

So enable us, O Lord, as we enter upon this new week of responsibility, to look to Thee for our strength and guidance. Endow us with that faith and courage displayed by Thy Son, our Saviour Jesus Christ, that we may walk in truth and serve with honor. Amen.

### RESOLUTIONS

President Lamprey, Senators English and Spanos, Speaker Cobleigh and Representatives Logan and Raiche offered the following resolutions:

### RESOLUTIONS

*Whereas*, the members of the House and Senate, in joint Convention assembled, honor our friend and colleague, Francis W. Tolman, who has served with us for many years, and

*Whereas*, Senate President Stewart Lamprey, said that the state "has lost one of its finest citizens with the passing of Tolman and having worked with him in the House of Representatives for a number of sessions I could develop only the deepest respect and admiration for this man who served the legislature so ably and in keeping with its highest traditions," and

*Whereas*, House Speaker Marshall W. Cobleigh made the following remarks on the passing of Francis W. Tolman, Clerk of the House of Representatives: "The people of New Hampshire and all the members both past and present of the New Hampshire General Court are saddened by the passing of Francis W. Tolman. He was first and foremost a gentleman who was liked and respected by his colleagues. He was friendly, efficient, courteous and always willing to go the extra step in lending a helping hand. His love for the woods, the ponds and streams, his interest in wood carving, his book, reflect the simple faith of a man who loved all nature's creatures and most of all his fellow man. He will be missed by all of us who have worked and lived with him," and

*Whereas*, Francis W. Tolman first ably represented his town of Nelson and then in subsequent years aided Speakers of the House and members of the General Court with vital details of Parliamentary Law and Procedures as well as other matters important to success in the making of our laws, and be it further

*Resolved*, that we, the members of the Joint Convention in General Court convened, do hereby pay tribute to the memory of this young man and extend our heartfelt sympathy to his family, and be it further

*Resolved*, that a copy of these resolutions be transmitted to his wife, Florence B. Tolman.

\* \* \*

The Clerk read the resolution in full.

The Convention rose in a minute of silent prayer in memory of Francis W. Tolman.

\* \* \*

Speaker Cobleigh presented Senate President Stewart Lamprey with a plaque inscribed as follows:

The Past and Present Members of the New Hampshire General Court salute

Former House Speaker Stewart Lamprey

Who in the past eleven years as presiding officer of both branches of the New Hampshire Legislature has done more in a quiet way to modernize and improve our General Court than any other man in New Hampshire's history. We in the New Hampshire Legislature will miss him. We will particularly miss his counsel, guidance, advice, and friendship; we accept this loss in New Hampshire, knowing full well that once again his great talents will be utilized to their fullest extent in the service of his country.

Presented April 1, 1969

Marshall W. Cobleigh

Speaker of the House

The Chair introduced Senate President Stewart Lamprey who addressed the Convention.

(See Senate Journal for Today.)

On motion of Rep. Brungot the Convention rose.

## HOUSE RECESS

### AFTER RECESS COMMITTEE REPORTS CONTINUED

CA-CR 4, establishing a four year term for governor and limiting any person to two consecutive terms.

Rep. Radway spoke in favor of the resolution.

Reps. Betley, Elmer Johnson and Stevenson spoke against the resolution.

Reps. Bowles and Raiche spoke in favor of the resolution.

(discussion ensued)

Rep. Sherman called for a quorum count.

### PARLIAMENTARY INQUIRY

Rep. Raiche rose on a point of parliamentary inquiry.

The question being on the adoption of the committee amendment to CA-CR 4.

The Chair advised the House that we have 398 sworn-in members of the House, of that amount 239 must vote in the affirmative to adopt the committee amendment.

(Rep. Stafford in the Chair)

On the quorum count 330 members stood up and the Chair declared a quorum present.

Rep. Brungot spoke against the resolution.

(Speaker in the Chair)

Rep. O'Neil spoke in favor of the resolution.

The question before the House is on the committee amendment.

The Chair stated to pass the amendment would require 3/5's of 398 or 239 affirmative votes.

The amendment was adopted by vv.

The question now being, shall CA-CR 4 be read a third time.

On a division vote 185 members voting in the affirmative and 143 in the negative the motion to order the resolution to a third reading lost, not receiving the 239 votes required.

\* \* \*

The Chair called for the special order at 11:02.

### HB 380

relative to the mode of acquisition of dams by the state.  
Ought to pass.

Rep. Claffin offered the following amendment.

### AMENDMENT

Amend Section 2 of the Bill by striking out said section and inserting in place thereof the following:

2 Water Resources Board. Amend RSA 481:3, III by inserting at the end thereof the following: (Provided however that no dam or any real property appurtenant thereto or any rights and easements in either may be acquired pursuant to the authority to this section or any other provision of law except an act of the legislature which authorizes the acquisition of a particular dam, its real property, rights or easements), so that said section as amended shall read as follows: III. To acquire in the name of the state by purchase, condemnation, lease, or otherwise, real property and rights and easements therein, deemed by it necessary or desirable for its corporate purposes, and to use such property. Provided however that no dam or any real property appurtenant thereto or any rights and easements in either may be acquired pursuant to the authority of this section or any other provision of law except an act of the legislature which authorizes the acquisition of a particular dam, its real property, rights or easements.

\* \* \*

The Clerk read the amendment in full.

Rep. Claffin explained the amendment.

Rep. Belcourt spoke in favor of the amendment.

Amendment adopted by vv and the bill was referred to Appropriations.

### **HB 486**

providing for an associate justice and a deputy clerk for the Manchester District Court and increasing the maximum salary provisions for justice of district courts was taken from the table.

Rep. Vachon spoke in favor of the committee report, ought to pass.

Rep. Drake asked a question regarding the bill.

Rep. Capistran explained the bill.

Rep. Drake moved that HB 486 be made a special order for 11:02 tomorrow.

Motion adopted by vv.

### **HB 355**

to establish a consumer fraud division in the office of the attorney general, and making appropriation therefor, was given a six day extension.

## PARLIAMENTARY INQUIRY

Rep. Bednar rose on a point of parliamentary inquiry.

The Chair stated that while the former President of the Senate said he would do his best to get the Joint Rules out, but the Committee of Conference has not been able to agree as yet.

\* \* \*

The Chair announced a list of bills had been reported to the floor of the House by April 1 as called for in Rule 57 and that those bills would be listed in the calendar for action from April 2nd to April 15th.

\* \* \*

## COMMITTEE OF CONFERENCE REPORT

The Committee of Conference to whom was referred House Bill No. 47, an act to allow greater flexibility in the use of funds appropriated for constructing and equipping a health training

center at the state technical institute, having considered the same, report the same with the following recommendations:

That the House recede from its position of non-concurrence in the Senate amendments and concur with the Senate in the adoption of its amendments.

Sen. George Gilman  
Sen. Paul E. Provost  
Senate Conferees

Rep. Charles Ferguson  
Rep. James Saggiotes  
Rep. Edward York  
House Conferees

Report adopted by vv.

#### SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

HJR 5, in favor of Lawrence E. Philbrook.

HB 267, in favor of Roger J. Paradise.

HB 582, legalizing the Haverhill cooperative school district meeting held October 7, 1968.

#### FURTHER SENATE MESSAGE

The Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendment the Senate asks the concurrence of the House of Representatives:

HB 303, relative to the operation of motorcycles.

Amend section 1 of the bill by striking out line two and inserting in place thereof the following:

29-g (supp) the following new section: 263:29-h Riding Upon Motorcycles.

The House concurred in the Engrossed Bills amendment.

\* \* \*

On motion of Rep. Stafford the House adjourned from the early session in Honor of Dwight David Eisenhower, and the



Rules of the House were so far suspended as to permit reading of bills by titles only, and that when the House adjourns today it be to meet tomorrow at 11:00 o'clock.

### LATE SESSION

### THIRD READINGS

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 378, relative to Thompson school of applied science at the university.

HB 391, relating to filing notices under the timber conservation act and requiring an owner to furnish security for payment of the yield tax.

HB 468, relative to compliance with the classification requirements in the Pemigewasset River watershed.

SB 84, providing that a so-called Massachusetts trust, doing business in the state, shall be considered a foreign corporation, was read a third time, passed, and sent to the Senate for concurrence in the House amendment.

\* \* \*

SB 96, relative to the creation of the New Hampshire Vermont District of the Unitarian Universalist Association, and

SB 47, relative to foreign partnerships, were read a third time, passed, and sent to the Secretary of State to be engrossed.

\* \* \*

On motion of Rep. Jennie Bennett the House adjourned at 4:00 P. M. in honor of Dwight David Eisenhower.

*Wednesday, April 2, 1969*

The House met at 11:00 o'clock.

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

SHALOM.

GOD of Israel, Father of mankind, as we prepare for the festival of Passover our thoughts turn back to the days of Egypt, when Israel dwelt in bondage, knowing the cruelty of the Pharaohs. In Moses Thou didst raise up a deliverer bearing Thy message: "Let my people go, that they may serve Me!" Right triumphed over might, and justice over oppression as Thou didst lead Thy people forth to a new land of freedom. O Father, how great are Thy justice and mercy, unto all generations of those who love Thee and keep Thy commandments. We thank Thee, O Lord our God, for this holy season which recalls to our minds the great deliverance Thou didst work for Israel. Slaves were our forefathers in Egypt. Cause the memory of that slavery to abide within our souls, so that we may never oppress other men, nor act with haughty pride toward the weak and defenseless. Each year may we learn to dedicate ourselves anew to the cause of human freedom. May the memory of the Passover ever bring us courage and faith. Amen.

(Passover Prayer — adapted, *Union Hymnal*, Songs and Prayer for Jewish Worship . . . 1949, 3rd edition.)

#### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Logan led the House in the Pledge of Allegiance to the Flag.

(Rep. Stafford in the Chair)

#### LEAVES OF ABSENCE

Rep. Barrett was granted leave of absence for the day on account of illness.

Rep. Dumais was granted leave of absence for the day to attend a funeral.

Rep. Julia White was granted leave of absence on account of a death in the family.

Rep. Magalaras was granted leave of absence for today and tomorrow on account of important business.

## RESOLUTION

Rep. McMeekin offered the following resolution:

*Resolved*, that in accordance with the list in the possession of the clerk, House Bills numbered 583 through 624 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.

## INTRODUCTION OF BILLS

The following bills were read a first and second time, laid on the table for printing and referred as follows:

HB 583, relative to habitual offenders of motor vehicle provisions. (Logan of Sullivan Dist. 1, Cobleigh of Hillsboro Dist. 15 — To Transportation.)

HB 584, relative to the Kancamagus Highway. (McGee of Grafton Dist. 3, Davis of Carroll Dist. 2 — To Public Works.)

HB 585, relative to county attorneys. (Martin of Belknap Dist. 8 — To Municipal & County Government.)

HB 586, relative to changing the name of Round Pond in the town of Wakefield to Lake Ivanhoe. (Fox of Carroll Dist. 8 — To Statutory Revision.)

HB 587, relating to travel by state employees between homes and places of work. (O'Neil of Cheshire Dist. 12 — To Statutory Revision.)

HB 588, to authorize business corporations to indemnify directors, officers and employees under certain circumstances. (Howard of Merrimack Dist. 26 — To Statutory Revision.)

HB 589, relative to accident and health insurance. (Dion of Hillsboro Dist. 21 — To Banks & Insurance.)

HB 590, increasing the personnel commission to five members. (Dion of Hillsboro Dist. 29 — To Labor, Human Resources & Rehabilitation.)

HB 591, to amend the workmen's compensation law. (Angus of Sullivan Dist. 4 — To Labor, Human Resources & Rehabilitation.)

HB 592, relative to the New Hampshire Veterans Incorporated. (Heald of Cheshire Dist. 15 — To Claims, Military & Veterans Affairs.)

HB 593, relative to payment of abatement costs in certain cases. (Hanson of Merrimack Dist. 6 — To Statutory Revision.)

HB 594, permitting high school students to work for practical experience. (Burleigh of Merrimack Dist. 14 — To Education.)

HB 595, prohibiting the varying of rates for motor vehicle liability insurance based solely on age groups. (Sayer of Rockingham Dist. 7 — To Banks & Insurance.)

HB 596, providing that pending the appeal of certain out of state motor vehicle convictions an operator may retain his license upon filing recognizance. (Sayer of Rockingham Dist. 7 — To Transportation.)

HB 597, providing for liquor licenses for first class ballrooms. (Sayer of Rockingham Dist. 7 — To Liquor Laws.)

HB 598, providing that bail shall not be required in certain landlord and tenant cases. (Zachos of Hillsboro Dist. 27 — To Constitutional Revision.)

HB 599, providing for the acquisition of real property by the state for the improvement and development of existing air navigation facilities. (Coutermarsh of Hillsboro Dist. 22 — To Transportation.)

HB 600, exempting funeral processions from paying road tolls. (Dion of Hillsboro Dist. 21 — To Transportation.)

HB 601, relative to insurance benefit payments by the city of Manchester to retired city employees. (Sweeney of Hillsboro Dist. 36, Raiche of Hillsboro Dist. 34, Cullity of Hillsboro Dist. 30, Dion of Hillsboro Dist. 29, Healy of Hillsboro Dist. 32 — To Manchester Delegation.)

HB 602, making the inauguration day of the president of the United States a legal holiday. (MacDonald of Merrimack Dist. 25 — To Statutory Revision.)

HB 603, relative to the denominations of county bonds. (LaTour of Hillsboro Dist. 22 — To Municipal & County Government.)

HB 604, enabling all county commissioners to employ clerks and agents. (LaTour of Hillsboro Dist. 22 — To Municipal & County Government.)

HB 605, relative to certain statistics in the annual report of county officers. (LaTour of Hillsboro Dist. 22 — To Municipal & County Government.)

HB 606, relative to the time of mailing the county budget statement. (LaTour of Hillsboro Dist. 22 — To Municipal & County Government.)

HB 607, relative to the issuance of bond anticipation notes by counties. (LaTour of Hillsboro Dist. 22 — To Municipal & County Government.)

HB 608, requiring that county government be represented on regional planning commissions. (LaTour of Hillsboro Dist. 22 — To Municipal & County Government.)

HB 609, relative to highway markings. (Davis of Carroll Dist. 2 — To Public Works.)

HB 610, prohibiting the granting of credit cards without a request being made therefor. (Aucella of Hillsboro Dist. 1 — To Statutory Revision.)

HB 611, relative to the transportation of junk motor vehicles. (Adams of Rockingham Dist. 5 — To Transportation.)

HB 612, relating to issuance of temporary notes in anticipation of municipal bond issues. (Gile of Merrimack Dist. 5 — To Municipal & County Government.)

HB 613, relating to school district meetings. (Gile of Merrimack Dist. 5 — To Municipal & County Government.)

HB 614, relative to mobile barbershops. (Mason of Hillsboro Dist. 17 — To Public Health, Welfare & Institutions.)

HB 615, permitting certain nonresident property owners to purchase a fishing license at resident prices. (Allen Brown of Hillsboro Dist. 4 — To Fish & Game.)

HB 616, relative to jurisdiction of the courts over nonresident individuals. (Zachos of Hillsboro Dist. 27 — To Judiciary.)

HB 617, relative to timely filing and paying of taxes. (Sterling of Hillsboro Dist. 2 — To Municipal & County Government.)

HB 618, to permit experimentation and pilot programs in bilingual education. (Knight of Hillsboro Dist. 4 — To Education.)

HB 619, relative to appeals in proceedings relating to banks. (Reddy of Merrimack Dist. 5 — To Banks & Insurance.)

HB 620, relative to the organization of trust companies. (Reddy of Merrimack Dist. 5 — To Banks & Insurance.)

HB 621, adding a fourth retirement benefit option to the state employees' retirement system. (Healy of Hillsboro Dist. 32, Stafford of Belknap Dist. 12 — To Appropriations.)

HB 622, adding a third retirement benefit option to the firemen's retirement system. (Healy of Hillsboro Dist. 32, Stafford of Belknap Dist. 12 — To Appropriations.)

HB 623, allowing group II members of New Hampshire retirement system to elect options 1 or 4. (Healy of Hillsboro Dist. 32, Stafford of Belknap Dist. 12 — To Appropriations.)

HB 624, eliminating requirement for physical examination if requested by member of New Hampshire retirement system receiving disability allowance. (Healy of Hillsboro Dist. 32, Stafford of Belknap Dist. 12 — To Executive Departments & Administration.)

### SENATE MESSAGE

The Senate concurs with the House of Representatives in the passage of the following entitled Joint Resolution, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HJR 58, appropriating funds for the rent, maintenance and repair of the old post office building.

### AMENDMENT

Amend the resolution by striking out all after the resolving clause and inserting in place thereof the following:

That, notwithstanding the provisions of Laws of 1967, 380:1 or the footnote to the appropriation for "former post office building" in the appropriation for "division of buildings and



grounds", in the appropriation for administration and control, and notwithstanding the provisions of RSA 9, there is hereby appropriated, for the fiscal years ending June 30, 1969 and June 30, 1970, the total sum of seventy-five hundred dollars to be expended with the approval of the governor for the purposes of rent, maintenance and repair of the old post office building in the city of Concord, and said sum hereby appropriated shall be a charge against the appropriation of thirty-eight thousand three hundred eighty dollars made by the Laws of 1967, 380:1 to the division of buildings and grounds for the former post office building. Any unexpended balance in the appropriation herein shall lapse at June 30, 1970 to unappropriated surplus of the general fund.

\* \* \*

On motion of Rep. Logan the House concurred in the Senate amendment.

\* \* \*

(Speaker in the Chair)

## REPORT OF COMMITTEE ON ENGROSSED BILLS

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bill:

HB 582, An Act legalizing the Haverhill cooperative school district meeting held October 7, 1968.

Roxie A. Forbes  
for the Committee

The report was accepted.

## COMMITTEE REPORTS

### HB 218

relative to membership on state council of aging. Ought to pass. Rep. George Roberts for Appropriations.

Ordered to third reading by vv.

### HB 330

relative to the investment of state funds by the state treasurer. Ought to pass with amendment. Rep. Ferguson for Appropriations.

## AMENDMENT

Amend HB 330 by striking out section 1 and inserting in place thereof the following new section:

1 Investment in Savings Bank Deposits. Amend RSA 6:8 by inserting in line six after the words "United States" the following (in savings bank deposits in savings banks incorporated under the laws of the state of New Hampshire) so that said section as amended shall read as follows: 6:8 Investment of Funds. All funds over which the state has exclusive control, aside from such sums of money as the treasurer may deem necessary to hold or deposit for meeting current expenses, shall be invested by the treasurer, with the approval of the governor and council, in securities of the state, in the notes or bonds of the several counties, cities, and towns thereof, in the scrip or bonds of the United States, in savings bank deposits of banks incorporated under the laws of the state of New Hampshire, or in the notes or bonds of any incorporated district of the state, or of any city of the New England states whose net indebtedness at the time of purchase does not exceed five per cent of the last preceding valuation of the property therein for the assessment of taxes.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

**SB 17**

to provide for cumulative pocket supplements for Revised Statutes Annotated. Ought to pass. Rep. Goff for Appropriations.

Ordered to third reading by vv.

**HB 473**

establishing the Bristol district court. Refer to Judicial Council. Rep. Aucella for Constitutional Revision.

Resolution adopted by vv.

**HB 474**

establishing the Sunapee district court. Refer to Judicial Council. Rep. Aucella for Constitutional Revision.

Resolution adopted by vv.

**HB 476**

establishing a district court in the town of Alton. Refer to Judicial Council. Rep. Aucella for Constitutional Revision.

Resolution adopted by vv.

**HB 510**

to increase the state's contribution to state employees group insurance. Inexpedient to legislate; subject covered by previous legislation. Rep. MacDonald for Executive Departments and Administration.

Resolution adopted by vv.

**HB 528**

establishing a commission to evaluate the advantages to the state of a New Hampshire stadium. Ought to pass. Rep. MacDonald for Executive Departments and Administration.

At the request of Rep. Fortin, Rep. Sterling explained the bill.

Ordered to third reading by vv.

**HB 301**

providing that a portion of hunting license revenue shall be used for stocking small game. Inexpedient to legislate. Rep. O'Neil for Fish and Game.

Resolution adopted by vv.

**SB 95**

relative to revocation of hunting and fishing licenses. Inexpedient to legislate. Rep. Huggins for Fish and Game.

Resolution adopted by vv.

**SB 97**

relative to the possession of unregistered deer. Ought to pass. Rep. Huggins for Fish and Game.

Ordered to third reading by vv.

**HB 336**

to protect patients' confidential communications to psychiatrists and other psychotherapists. Ought to pass with amendment. Rep. Andrews for Judiciary.

## AMENDMENT

Amend the title of the bill by striking out the same and inserting in place thereof the following:

## AN ACT

to protect patients' confidential communications to physicians and surgeons.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Confidential Communications. Amend RSA 329 by inserting after section 25 the following new section: 329:26 Confidential Communications. The confidential relations and communications between a physician or surgeon licensed under provisions of this chapter and his client are placed on the same basis as those provided by law between attorney and client, and nothing in this chapter shall be construed to require any such privileged communications to be disclosed.

2 Effective Date. This act shall take effect sixty days after its passage.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

**HB 456**

relative to the salaries of the supreme and superior court justices and making an appropriation therefor. Ought to pass with amendment. Rep. Buckman for Judiciary.

## AMENDMENT

Amend said bill by striking out section 1 and inserting in place thereof the following:

1 Salaries Increased. Amend RSA 94:1 (supp) as amended by striking out where they appear the words and numerals "Chief justice, supreme court 26,000; Chief justice, superior court 22,880; Associate justice, supreme court (4) 22,880; Associate justice, superior court (7) 20,800" and by inserting in place thereof the words and figures (Chief justice, supreme court 29,000; Chief justice, superior court 28,000; Associate justice,

supreme court (4) 28,000; Associate justice, superior court (7) 27,000).

\* \* \*

Amendment adopted and the bill was sent to Appropriations under the Rules.

**HB 464**

relative to anatomical gifts. Ought to pass with amendment. Rep. Buckman for Judiciary.

**AMENDMENT**

Amend RSA 291-A:1, I, as inserted by section 1 of said bill by striking out the word "this" and inserting in place thereof the word (any) so that said paragraph as amended shall read as follows:

I. "Bank or storage facility" means a facility licensed, accredited, or approved under the laws of any state for storage of human bodies or parts thereof.

Amend paragraph IV of RSA 291-A:1 as inserted by section 1 by striking out the same and inserting in place thereof the following:

IV. "Hospital" means a hospital licensed, accredited, or approved under the laws of any state, and includes a hospital operated by the United States government although not required to be licensed under state law.

Amend paragraph VII of RSA 291-A:1 as inserted by section 1 of said bill by striking out said paragraph and inserting in place thereof the following:

VII. "Physician" or "surgeon" means a physician or surgeon licensed or authorized to practice under the laws of any state.

Amend paragraph I of RSA 291-A:2 as inserted by section 1 of said bill by striking out the word "twenty-one" and inserting in place thereof the word (eighteen) so that said paragraph as amended shall read as follows:

I. Any individual of sound mind and eighteen years of age or more may give all or any part of his body for any purpose specified in section 3, the gift to take effect upon death.

Amend subparagraphs (a) to (f) of RSA 291-A:2, II as inserted by section 1 of said bill by striking out the same and inserting in place thereof the following:

- (a) the spouse, an adult son or daughter,
- (b) either parent,
- (c) an adult brother or sister,
- (d) a guardian of the person of the decedent at the time of his death,
- (e) any other person authorized or under obligation to dispose of the body.

Amend paragraph III of RSA 291-A:4 as inserted by section 1 of said bill by striking out the last sentence so that said paragraph as amended shall read as follows:

III. The gift may be made to a specified donee or without specifying a donee. If the latter, the gift may be accepted by the attending physician as donee upon or following death. If the gift is made to a specified donee who is not available at the time and place of death, the attending physician upon or following death, in the absence of any expressed indication that the donor desired otherwise, may accept the gift as donee.

Amend subparagraph (b) of RSA 291-A:6, I as inserted by section 1 of said bill by striking out the word "persons" and inserting in place thereof the word (witnesses) so that said subparagraph as amended shall read as follows:

- (b) an oral statement made in the presence of three witnesses and communicated to the donee, or

Amend paragraph III of RSA 291-A:6 as inserted by section 1 of said bill by striking out said paragraph and inserting in place thereof the following:

III. Any gift made by a will may be revoked in the manner provided for in RSA 551:13 for revocation of wills, or as provided in paragraph I.

Further amend said bill by inserting after RSA 291-A:7 as inserted by section 1 of said bill the following new sections:

291-A:8 Uniformity of Interpretation. This chapter shall be so construed as to effectuate its general purpose to make uniform the law of those states which enact it.



291-A:9 Short Title. This chapter may be cited as the Uniform Anatomical Gift Act.

\* \* \*

Rep. Senter moved that the words "inexpedient to legislate" be substituted for the committee report "ought to pass with amendment" and spoke in favor of the motion.

(discussion ensued)

Rep. Zachos spoke against the motion.

Rep. Healy spoke in favor of the motion.

(discussion ensued)

Rep. Sayer spoke in favor of the motion.

Rep. Levesque moved that HB 464 be recommitted to Judiciary committee and spoke in favor of the motion.

Rep. Zachos spoke against the motion.

Reps. Jennie Bennett and Elmer Johnson spoke against the motion.

(discussion ensued)

Reps. Brungot, Eastman and Logan spoke against the motion.

Rep. Healy spoke in favor of the motion.

Rep. Williamson spoke against the motion.

Rep. Maloomian moved the previous question and it was sufficiently seconded.

The question being, shall the main question now be put.

Motion adopted by vv.

The question being that HB 464 be recommitted to Judiciary committee.

Motion lost by vv.

The question now being on the motion to substitute "inexpedient to legislate" for the committee report "ought to pass with amendment."

Motion lost by vv.

The question now being on the adoption of the committee amendment.

Amendment adopted and the bill ordered to third reading by vv.

### HB 341

relative to counsel fees and interest in workmen's compensation cases. Ought to pass with amendment. Rep. Leo Dion for Labor, Human Resources and Rehabilitation.

### AMENDMENT

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Payment of Counsel Fees and Interest. Amend RSA 281 by inserting after section 37 the following new section: 281:37-a Award of Fees and Interest. In any dispute over the amount of benefits payable under this chapter which is appealed to the superior or supreme courts, the employee, if he prevails, shall be entitled to reasonable counsel fees as approved by the court, and interest at the rate of six per cent per annum on that portion of any award the payment of which is contested; provided that the interest shall be computed from the date of the employee's request for compensation or notice of injury as to any such contested amount; and provided further that if the court finds that the action of the employer or carrier in denying the payment of benefits under this chapter was either in bad faith, or frivolous, or based on insubstantial reasons, the employee shall, in addition, receive a sum equal to ten per cent of the total amount awarded him by the court, exclusive of interest and counsel fees.

2 Interest in Civil Proceedings. Amend RSA 524:1-b, as inserted by 1957, 201:1 and amended by 1963, 293:1 and 1967, 407:1 by striking out in lines six, seven and eight the words "or for compensation due under the provisions of RSA 281, workmen's compensation law, and awarded by a superior court on appeal from a ruling of the labor commissioner pursuant to RSA 281:37 and 40,"; and in lines thirteen, fourteen and fifteen the words "provided, however, that in workmen's compensation cases, interest shall not be allowed for future disability benefits not due and payable until after entry of final judgment", so that

said section as amended shall read as follows: 524:1-b Interest from Date of Writ. In all other civil proceedings at law or in equity in which a verdict is rendered or a finding is made for pecuniary damages to any party, whether for personal injuries, for wrongful death, for consequential damages, for damage to property, business or reputation, for any other type of loss for which damages are recognized, there shall be added by the clerk of court to the amount of damages interest thereon from the date of the writ or the filing of the petition to the date of entry of final judgment, even though such interest brings the amount of the verdict or findings beyond the maximum liability imposed by law.

3 Effective Date. This act shall take effect sixty days after its passage, and shall govern all proceedings arising out of injuries sustained on and after its effective date.

\* \* \*

At the request of Rep. Raiche, Rep. Nixon explained the committee amendment.

Amendment adopted and the bill ordered to third reading by vv.

### **SB 83**

relative to the political calendar. Ought to pass. Rep. Keeney for Legislative Revision.

Ordered to third reading by vv.

### **HB 87**

relative to the distribution to and counting of ballots in additional polling places. Ought to pass with amendment. Rep. Hanson for Municipal and County Government.

## **AMENDMENT**

Amend section 2 of said bill by striking out said section and inserting in place thereof the following:

2 Time for Sealing Check-lists and Ballots. Amend RSA 59:49 by striking out said section and inserting in place thereof the following: 59:49 Sealing Check-lists and Ballots. Before the polls are opened at the central polling place on the day of the general election the town clerk shall seal up the duplicate copies of the check-list for each additional polling place, lodged with him by the supervisors, with a number of blank ballots equal

to the number of voters on such check-list and fifty additional ballots. This package shall be prepared and sealed in the presence of the moderator and selectmen and delivered to the assistant moderator of the additional polling place by two election officers designated by the moderator, who shall carry the same to such polling place with all reasonable speed.

Amend section 3 of the bill by striking out said section and inserting in place thereof the following:

3 Counting of Ballots at Additional Polling Place. Amend RSA 59 by inserting after section 51 the following new section:

59:51-a Optional Ballot Tabulation at Additional Polling Place.

I. Notwithstanding the provisions of section 51, the moderator may, by written order, instruct the assistant moderator to tabulate the votes in the presence of and with the assistance of the assistant town clerk and the other election officials at the additional polling place where they were cast. If such an order is given, immediately after the polls are closed the ballots shall be examined and the votes for the several candidates and on any question submitted shall be counted by the assistant moderator in the manner prescribed by this chapter. After the tabulation is complete, the assistant moderator shall place the counted ballots in the ballot box and shall seal it up, and the assistant town clerk shall certify the same. He shall also seal up the duplicate check-lists used at the additional polling place, together with the spoiled and unused ballots. He and the assistant town clerk shall then deliver the ballot box, check-lists, unused and spoiled ballots, and a written report of his tabulation, signed by him and the assistant town clerk, to the moderator of the town at the central polling place without delay. The moderator shall combine the tabulations of the additional polling places with that of the ballots cast at the central polling place and shall announce the result of the ballot of the entire town as a single compiled tabulation.

II. If the assistant moderator does not receive a written order from the moderator instructing him to tabulate the votes at the additional polling place, he shall comply with the provisions of section 51.

Amend section 4 of the bill by striking out said section and inserting in place thereof the following:

4 Effective Date. This act shall take effect upon its passage.  
Amend section 5 of the bill by striking out said section.

\* \* \*

At the request of Rep. Brungot, Rep. Brown explained the bill.

Amendment adopted and the bill ordered to third reading by vv.

**HB 382**

taxing certain property of the state, cities and towns, was withdrawn by committee.

**HB 472**

providing for a recount of voters on a sweepstakes question. Ought to pass. Rep. Derome for Municipal and County Government.

Ordered to third reading by vv.

**SB 57**

relative to city bond issuing procedures. Inexpedient to legislate. Rep. Stuart Allan for Municipal and County Government.

Resolution adopted by vv.

**HB 436**

providing for year-round inspections of motor vehicles and making an appropriation therefor. Ought to pass with amendment. Rep. Hamel for Transportation.

**AMENDMENT**

Amend section 1 of the bill by striking out in lines ten through thirteen the words "or if the owner is a company or corporation in the month in which a commercial firm first began business and the second inspection being required during the month which occurs six months later" and inserting in place thereof the following (If the owner is a company or corporation or other than a private individual the first inspection shall be made during the month of April and the second inspection shall be made during the month of October), and by striking out in

line twenty the words "motor vehicle" and inserting in place thereof the word (safety), so that said section shall read as follows:

1 Specifically Staggering Inspection Dates. Amend RSA 260:14 as amended by 1965, 240:6 by striking out said section and inserting in place thereof the following: 260:14 Inspection Authorized. The director may require the inspection of any motor vehicles, trailers, or semi-trailers to determine whether it is fit to be operated. Such inspection shall be made at such times and in such manner as the director may specify; provided that all motor vehicles, trailers and semi-trailers registered under this chapter shall be inspected every six months with the first such inspection being required during the month in which the birth date of the owner is observed, if the owner is a private individual. If the owner is a company or corporation or other than a private individual the first inspection shall be made during the month of April and the second inspection shall be made during the month of October, provided, however, that newly registered vehicles and vehicles the ownership of which has been transferred may be operated for a period of ten days before inspection. The director may authorize properly qualified persons to make inspections without expense to the state at stations designated by him, and may at any time revoke such authorization or designation, provided, however, that inspections conducted at such stations at the request and under the direction of a law enforcement agent or a safety inspector shall be paid for as follows: (a) in the event violations of this section are uncovered, by the owner of the vehicle or (b) in the event no such violations are uncovered, by the agency represented by the agent or inspectors. The annual fee to be paid by the inspection station upon authorization set forth herein shall be fifteen dollars and shall not be refundable.

Further amend the bill by striking out section 3 and inserting in place thereof the following section:

3. Appropriation. There are hereby appropriated the sums of forty-four thousand, seventy-one dollars and ninety-four cents for the fiscal year 1970, and fifty thousand, three hundred and fifty-one dollars and thirty-four cents for the fiscal year 1971, to be expended by the division of safety services as follows:



	Grade		1st Year Budget	2nd Year Budget
Safety Inspector	13 (2)	Full Year	\$10,538.32	\$27,946.10
	(3)	Half Year	7,903.64	
Clerk-Steno III	8		4,344.08	4,563.00
Key Punch Operator	4	3 months	1,847.90	
Newspaper Advertising			2,000.00	1,000.00
Vehicles \$2,200.00	(5)		11,000.00	
Clothing, \$1,500.00	(5)		7,500.00	7,500.00
Food & Travel				
	(2)	Full Year	3,000.00	
	(3)	Half Year	2,250.00	
No. 1029 Key Punch—\$69.00				828.00
Per Month	3 months	(Rental)	207.00	
No. 1059 Key Punch Verifier				
\$72.00 Per Month (Rental)				
	3 months	(Rental)	216.00	864.00
IBM Electric Typewriter			475.00	
Secretarial Desk			170.00	
Secretarial Chair				
\$40.00	(3)		120.00	
Grand Total			\$44,071.94	\$50,351.34

The sums hereby appropriated shall be in addition to any other appropriations to said division. The governor is authorized to draw his warrants for said sums which shall be a charge against the highway funds.

\* \* \*

Amendment adopted by vv.

Rep. Elmer York moved that HB 436 be indefinitely postponed and spoke in favor of the motion and subsequently withdrew his motion.

At the request of Rep. Mackintosh, Rep. Morrill answered a question.

(discussion ensued)

Rep. O'Neil moved that HB 436 be recommitted to the committee on Transportation and spoke in favor of the motion.

(discussion ensued)

The Chair stated that under Rule 57 no bill with an appropriation can remain in committee after April 1st. The motion to recommit would not be in order. A motion to send to Appropriations would be in order.

Rep. O'Neil withdrew his motion.

Rep. George Roberts moved that HB 436 be indefinitely postponed.

Rep. Wilfred Boisvert moved that HB 436 be referred to Legislative Council and spoke in favor of the motion.

Rep. Maloomian spoke in favor of the motion.

Rep. Chris Andersen moved that the Rules of the House be so far suspended as to permit HB 436 to be recommitted to Transportation.

The Chair stated that the motion was out of order at the present time because it is of equal standing with the motion to commit to Legislative Council.

Rep. Chris Andersen spoke against the motion.

Reps. Morrill, Cares and Logan spoke in favor of the motion.

The question being on the motion that HB 436 be referred to Legislative Council.

On a vv the Ayes appeared to have it.

A division was requested.

194 members having voted in the affirmative and 77 in the negative, the motion to refer to Legislative Council was adopted.

\* \* \*

The Chair announced that yesterday was the 81st birthday of Rep. Margaret Griffin.

## RECESS

## AFTER RECESS

## RESOLUTION

*Whereas*, we have learned with sorrow of the passing of Senator Cecil Charles Humphreys; and

*Whereas*, Senator Humphreys served his community faithfully and with highest esteem as a State Legislator and civic leader; and

*Whereas*, he had also served his country in the military with honor and distinction.

*Whereas*, he was prominent in civic, church and fraternal affairs in a manner admired by all; now, therefore, be it

*Resolved*, that we, the Members of the Senate and House of Representatives in General Court convened, do hereby pay tribute to his great service, and extend our sympathy to the family of Senator Cecil Charles Humphreys, and be it further

*Resolved*, that a copy of these Resolutions be forwarded to his widow, Mrs. Lois Humphreys.

Marshall Cobleigh  
Speaker, House of Representatives  
J. Walter Jameson, Portsmouth, Ward 4  
Wilmont S. White, Clerk of Senate

The Senate concurs with the House of Representatives in the passage of the following concurrent resolution, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

#### HOUSE CONCURRENT RESOLUTION NO. 11

*Whereas*, the General Court is greatly concerned with the cost of financing Title IV, the Aid to Families with Dependent Children Program, and

*Whereas*, the present provisions will impose upon the State beginning July 1, 1969, because of the "Freeze" portion of said title, a great financial burden,

*Now therefore be it resolved by the House of Representatives, the Senate concurring:*

That it respectfully requests the Congress of the United States to re-evaluate the present and prospective costs of Title IV, the Aid to Families with Dependent Children Program, which under the present federal legislation will be excessive and require unrealistically large contributions by the state, and to make revisions in said federal statutes to repeal the "freeze" portion so as to bring state costs of the same within realistic bounds, and

*Be it further resolved* that the clerks of the House and Senate of the General Court of New Hampshire be directed to transmit a copy of these resolutions to all four members of the New Hampshire congressional delegation, to the clerks of the federal House of Representatives and Senate, to Senator Russell Long and Representative Wilbur Mills.

On motion of Rep. Drake the House concurred in the Senate amendment.

Rep. Stafford spoke in favor of the motion.

#### COMMITTEE OF CONFERENCE REPORT

A Committee of Conference, to which was referred HB 85, having considered the same report the same with the following recommendation:

That the House recede from its position of nonconcurrence in the Senate amendment, and that the Senate recede from its position of adopting its amendment, and that the House and Senate each adopt the following amendment:

Amend Section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Report to Deer Registration Stations. Amend RSA 208:23 (supp) as inserted by 1965, 143:1 by striking out said section and inserting in place thereof the following: 208:23 Report of Bear Killed. Within forty-eight hours after any person has killed a wild bear in this state, he shall make a report to a deer registration station of this state, indicating the town in which the bear was taken, and furnish such other information as the director may require. The registration agent shall register each bear in the manner prescribed by the director and collect a fee of twenty-five cents from the person registering said bear. Any person who fails to make the report required by this section shall be fined not more than twenty-five dollars.

Russell Mason

Elmer T. Bourque

Conferees on the part of the Senate

Ralph C. Maynard

P. W. McCuin

Henry J. LaChance

Conferees on the part of the House

On motion of Reps. Drake & Stafford the House concurred.

## RECONSIDERATION

Rep. Coggeshall, having voted with the majority, moved that the House reconsider its action whereby it referred HB 474, establishing the Sunapee district court, to Judicial Council, and spoke against the motion.

Rep. Merrifield spoke in favor of reconsideration.

Motion lost by vv.

\* \* \*

The Chair called for the special order for 11:01.

**HB 212**

providing for the assessment and collection of a special head tax for state purpose.

Rep. Cares offered an amendment.

The Clerk read the amendment in full.

Rep Cares spoke in favor of the amendment.

(discussion ensued)

Reps. Ratoff and Maloomian spoke against the amendment.

Rep. Raiche spoke in favor of the amendment.

(discussion ensued)

Rep. Angus spoke against the amendment.

Rep. Wilfrid Boisvert moved the previous question on the amendment and it was sufficiently seconded.

The question being, shall the main question now be put.

Motion adopted by vv.

The question now being on the adoption of Rep. Cares' amendment.

Amendment lost by vv.

Rep. Nourie offered an amendment.

## PARLIAMENTARY INQUIRY

Rep. Chris Andersen rose on a point of parliamentary inquiry.

The Chair stated that the amendment was in order as the previous question was moved on a specific amendment and the Chair phrased it that way.

Rep. Nourie spoke in favor of the amendment.

Rep. Ratoff spoke against the Nourie amendment.

(discussion ensued)

Rep. Frizzell moved the previous question and it was sufficiently seconded.

The question being, shall the main question now be put.

Motion adopted by vv.

Nourie amendment lost by vv.

Rep. Radway requested the yeas and nays, seconded by Rep. Coggeshall.

#### ROLL CALL — HB 212

#### YES — 286

GRAFTON COUNTY: Gardner, Van H., Rich, Stevenson, Tilton, Higgins, McGee, Brummer, Bennett, Phil A., McMeekin, Anderson, Fayne E., Smith, Manson B., Dow, Foster, Carl P., Duhaime, Roger M., Tremblay, Merrill, Dudley, Ellms, Blain, Hopkins, Buckman, Bell, Sears, Karsten, Mitchell.

HILLSBOROUGH COUNTY: Aucella, Eaton, Sawyer, Brown, Knight, Nixon, Mann, Murray, Karnis, Fortin, Warren, Carter, Coburn, Ferguson, Bragdon, Bridges, Brocklebank, Barker, Helen A., Record, LaPlante, Roland H., Lesage, Mason, LaChance, Poliquin, Bouley, Cote, Margaret S., Aubut, Boisvert, Wilfred A., Dion, Robert A., Dubois, Sirois, Bissonnette, LaTour, Coutermarsh, Bednar, Lynch, Keeney, Peabody, Arthur H., Watson, Buker, Van Loan, Carmen, Lang, Milne, Soucy, Zachos, Gardner, William J., Montplaisir, Murphy, Francis, Nyberg, Bruton, Cote, Joseph, Dion, Leo L., Duhaime, Armand L., Cullity, McDermott, Manning, Thomas E., Casey, Clancy, Healy, Lomazzo, LaFrance, Thibeault, Campono, Champagne, Chevette, Delisle, Derome, Belanger, Goedecke, Storm, Capistran, Nalette, Allard, Lambert, Lavallee, Burke.



MERRIMACK COUNTY: Andrews, Bigelow, Reed, Irene L., Reddy, Hanson, Enright, Goff, Robinson, Bartlett, Avery, Mousseau, Bent, Gilman, Greeley, Mattice, Welch, Alfred E., Michels, Cate, York, Edward H., Davis, Alice, Henry, Cheney, Charles H., Sr., McLane, Phillips, Horan, Howland, Sanders, Fuller, Glavin, Howard, C. Edwin, Newell, Henry R.

ROCKINGHAM COUNTY: Fernald, Stimmell, Persson, Griffin, Hall, Ormiston, Adams, Gay, Kimball, Read, Maurice W., Senter, Tarbell, Gelt, Sayer, White, George W., Sr., Palmer, Schwanner, Spollett, Cummings, Greenwood, Underwood, Goodrich, Hoar, Sewall, Twardus, Scamman, Collishaw, Eastman, Gage, Varrill, Hamel, Cheney, George L., Fiske, Ratoff, Shindlecker, Leavitt, Greene, Weeks, Dorley, Quirk, McEachern, Joseph A., Osborn, Jameson.

STRAFFORD COUNTY: Dawson, Canney, Tebbetts, Morrow, Clark, Shirley M., Cochrane, Shirley, Tirrell, Joncas, Maloomian, Chasse, Rolfe, Berkey, Thompson, Barbara C., Hussey, Vickery, Beaudoin, Levesque, Preston, Smith, Richard L., Tripp, Peabody, Raymond B., Leighton, Pray, Bernard, Webber, Fellows, Young, Kinney, Parnagian, Richardson, Harriett, W. B., Torr.

SULLIVAN COUNTY: Logan, Mackintosh, Gaffney, Angus, Campbell, Nahil, Spaulding, Roma A., Barrows, D'Amante, Hamilton, Frizzell, Galbraith, Merrifield.

BELKNAP COUNTY: Allan, Stuart B., Roberts, Charles B., Randall, Earle F., Nighswander, Wuelper, Roberts, George B., Mutzbauer, Deblois, Normandin, Head, Prescott, Dulac, Randlett, Stafford.

CARROLL COUNTY: Howard, Donalda K., Davis, Esther M., Cox, Hayes, Remick, Hickey, Chase, Russell C., Fox.

CHESHIRE COUNTY: Ballam, Johnson, Edward A., Churchill, Forbes, Austin, Cournoyer, Bennett, Jennie B., Johnson, Elmer L., Hackler, Thompson, Willard L., O'Neil, Tasoulas, Raymond, Pollock, Saunders, Callahan, Heald, Cleon E., Mackenzie, Walker, Barker, Sheldon L., Moran, Drew, Harold F.

COOS COUNTY: Huggins, Marsh, Noyes, Bushey, Manning, A. George, Drake, Shute, Burns, O'Hara, Dubey, Fortier, Roy, Edgar J., York, Elmer, H., Brungot, Lemire, McCuin, Gagnon, Parent, Theriault, Thurston, Richardson, Mabel L.

## NO — 39

GRAFTON COUNTY: Radway.

HILLSBOROUGH COUNTY: Wallin, Drabinowicz, Desmarais, Chamard, Cares, Carrier, Betley, Walsh, Edward J., O'Connor, Michael F., Raiche, Walsh, Michael P., Sweeney, Nourie, Levasseur, Lesmerises, Rousseau, Hector J.

MERRIMACK COUNTY: Gamache, Burleigh, Dempsey, Laroché.

ROCKINGHAM COUNTY: DeCesare, Morrison, Randall, Anthony T., Hammond, Keefe, McEachern, Archie D. Splaine, Bowlen, Croft.

STRAFFORD COUNTY: Drew, Robert B., Habel, Murphy, Peter J.

SULLIVAN COUNTY: Coggeshall.

CHESHIRE COUNTY: Danielchik, Dunham, Battenfeld.

COOS COUNTY: Desilets, Studd.

## PAIRS

Rep. Johnson, William R. voting Yes paired with Rep. Gile voting No.

Rep. Trowbridge abstained from voting under Rule 16.  
and the bill was ordered to a third reading.

The Chair called for the special order for 11:02 on

**HB 486**

providing for an associate justice and a deputy clerk for the Manchester District Court and increasing the maximum salary provision for justices of district courts.

At the request of Rep. Drake, Rep. Zachos explained the bill.

Ordered to third reading by vv.

Rep. Tilton moved that HB 224, providing for the classification of Lake Sunapee, be made a special order for Wednesday at 11:01.

Motion adopted by vv.

Rep. Shirley Clark moved that HB 435, providing that in four of the retirement systems the beneficiary of a member who dies while in service and who was over retirement age may elect to be paid certain benefits other than the return of the member's contributions, and making an appropriation therefor, be made a special order for 11:01 Wednesday next.

Motion adopted by vv.

Rep. Aucella moved that HB 351, to provide for absentee ballot voting in primary elections, be made a special order for 11:03 Wednesday next.

Motion adopted by vv.

On motion of Rep. Stafford the House adjourned from the early session in memory of Francis W. Tolman, and the Rules of the House were so far suspended as to permit reading of bills by titles only, and that when the House adjourns today it be to meet tomorrow at 11:00 o'clock.

(Rep. O'Neil in the Chair)

#### LATE SESSION

#### THIRD READINGS

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 218, relative to membership on state council of aging.

HB 330, relative to the investment of state funds by the state treasurer.

HB 528, establishing a commission to evaluate the advantages to the state of a New Hampshire stadium.

HB 336, to protect patient's confidential communications to physicians and surgeons.

HB 464, relative to anatomical gifts.

#### RECONSIDERATION

Rep. Frizzell, having moved with the majority, moved that the House reconsider its action whereby it passed HB 464 and spoke against the motion.

Motion lost by vv.

## THIRD READINGS CONTINUED

HB 341, relative to counsel fees and interest in workmen's compensation cases.

HB 87, relative to the distribution to and counting of ballots in additional polling places.

HB 472, providing for a recount of voters on a sweepstakes question.

HB 212, providing for the assessment and collection of a special head tax for state purpose.

## RECONSIDERATION

Rep. Ratoff, having voted with the majority, moved that the House reconsider its action whereby it passed HB 212 and spoke against the motion.

Motion lost by vv.

## THIRD READINGS CONTINUED

HB 486, providing for an associate justice and a deputy clerk for the Manchester District Court and increasing the maximum salary provision for justices of district courts.

The following Senate Bills were read a third time, passed and sent to the Secretary of State to be engrossed.

SB 17, to provide for cumulative pocket supplements for Revised Statutes Annotated.

SB 97, relative to the possession of unregistered deer.

SB 83, relative to the political calendar.

\* \* \*

On motion of Rep. Shirley Clark the House adjourned at 4:43 P. M. in memory of Francis W. Tolman.

*Thursday, April 3, 1969*

The House met at 11:00 o'clock.

## JOINT CONVENTION

Prayer was offered by Chaplain William L. Shafer of Chester as follows:

In nomine Patris, et Filii, et Spiritus Sancti. Amen. Sovereign Lord, Ruler of the universe, look down from heaven upon your Church, upon all your people, and upon your little flock, and save all of us, your unworthy servants, the creatures of your flock, and give us your peace, your love, and your assistance. Send down upon us the free gift of your Holy Spirit so that with a clean heart and a good conscience we may greet one another with holy love, not deceitfully nor hypocritically, nor to control each other's freedom, but blamelessly and purely in the bonds of peace and of love. For there is only one Body, and one Spirit and one Faith as we have been called in one hope of our calling so that we might all come to you and to your infinite love in Jesus Christ our Lord, with whom you are blessed with your all-holy, good, and life-giving Spirit, now and through endless ages. Amen.

( . . . The Book of Catholic Worship — 1966)

## PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Hanson led the Convention in the Pledge of Allegiance to the flag.

## INTRODUCTION OF GUESTS

The Chair introduced U. S. Senator Norris Cotton, and Marine Sgt. and Mrs. Hammond.

Sgt. Hammond was a member of the crew on the USS Pueblo who addressed the Convention as follows:

Ladies and Gentlemen: It is a great honor and pleasure to be here today. It was probably one thing I wanted all my life to visit my State Legislature and it is my first time here. I really am quite thrilled about it. As for my being back here in

the United States, I think it means quite a bit more to me to understand what freedom really means after living almost an entire year under communism and its lies and some of its tyranny. I really appreciate what it means to be back in a free country here in the United States, especially a place like New Hampshire. I have lived in New Hampshire all my life and I plan on coming back to New Hampshire when I get out of the Marine Corps. and take up residency here. While I was over in North Korea I made one decision and that is quite important to me and that is that after getting out of the Marine Corps., I plan on going to Plymouth State College here in New Hampshire and become a history teacher, more specifically U. S. history and my main reason for deciding this was while in Korea I gave quite a bit of thought towards the unrest among the youth in the United States and my last several years in the service I have been overseas but I read in newspapers that I did receive over there, one of the main headlines being about the unrest with the youth especially on the college campus. They seem to be very dissatisfied with the government that we have today. By myself teaching United States History, I hope that I will be able to bring out in my own way to the students that I come into contact with and make them understand better how our government runs and how its organization is set up. I believe that is quite important. I know that when I was in high school and when I graduated from high school, I was eighteen. I wanted to vote, but as you know the voting age is twenty-one and then again I didn't know that much about my own state government and actually I probably would not have been qualified to vote. If I can help these younger people to better understand how the government runs they would be better qualified to vote and may eventually take more of an interest in their own government and participate in it more. This is one thing that seems to be lacking today. There is unrest in the youth toward the government and they don't seem to be that interested in it. They only want to speak out against it when they really don't know what they are speaking out against. It was actually quite hard coming back to the United States and finding out all this. I think if I can just do something about it, then I will be most happy. Also I would like to thank the House of Representatives for my birthday congratulations. I received an official document with a state seal sending me birthday congratulations and commendations which was on January 9th, and



at that time I was in the hospital in San Diego and that was quite a morale builder to know that I was remembered by my own state and by all the people here. Thank you very much.

Rep. Underwood introduced Nancy Alward of Epping 4-H Club, Winner — Outstanding Girl Award in State for 1968, who addressed the House briefly, Jesse James State 4-H leader and Rep. Douglas Scamman, Jr. Farmer of the Year Award for 1968.

\* \* \*

On motion of Sen. Spanos the remarks of Sgt. Hammond will be printed in today's Journal.

Motion adopted by vv.

On motion of Rep. Logan the Convention rose.

\* \* \*

## RECONSIDERATION

Rep. Reddy, having voted with the majority, served notice that today or some subsequent day he would ask for reconsideration of HB 436, providing for year-round inspections of motor vehicles and making an appropriation therefor.

\* \* \*

Rep. McMeekin offered the following resolution:

Resolved, that in accordance with the list in the possession of the clerk, House Bills numbered 625 through 658, HJR 60 and HJR 61 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

Resolution adopted by vv.

## INTRODUCTION OF BILLS

The following bills and joint resolutions were read a first and second time, laid on the table for printing and referred as follows:

HB 625, relative to construction, mining and other projects to surface waters of the state. (Coutermarsh of Hillsboro Dist. 22, Welch of Merrimack Dist. 27 — To Resources, Recreation & Development.)

HB 626, relative to the taxation of personal property. (Cate of Merrimack Dist. 20, Logan of Sullivan Dist. 1, Cobleigh of Hillsboro Dist. 15 — To Ways & Means.)

HB 627, permitting dancing after midnight in public places. (Scammon of Rockingham Dist. 15 — To Liquor Laws.)

HB 628, providing that front license plates on motor vehicles shall be illuminated at night. (MacKenzie of Cheshire Dist. 16 — To Transportation.)

HB 629, relative to abandoned cars upon turnpikes. (Drabinowicz of Hillsboro Dist. 17 — To Statutory Revision.)

HB 630, relative to fishing through the ice for salmon. (Canney of Strafford Dist. 4 — To Fish & Game.)

HB 631, relative to recounts of referendum votes on amending the constitution. (Bednar of Hillsboro Dist. 23 — To Constitutional Revision.)

HB 632, relative to the destruction of ballots by town and city clerks. (Bednar of Hillsboro Dist. 23 — To Municipal & County Government.)

HB 633, relative to emergency lights on motor vehicles. (Osborne of Rockingham Dist. 26 — To Transportation.)

HB 634, relative to overtime pay and other benefits for classified state employees. (Dion of Hillsboro Dist. 29 — To Executive Departments & Administration.)

HB 635, authorizing New Hampshire College of Accounting and Commerce to confer bachelor of business science, associate in business science, and honorary degrees. (Zachos of Hillsboro Dist. 27 — To Education.)

HB 636, relative to the form of government of the town of Newport. (Coggeshall & Tracey of Sullivan Dist. 6 — To Newport Delegation.)

HB 637, relative to the expenses of county attorneys. (Martin of Belknap Dist. 8 — To Municipal & County Government.)

HB 638, providing for the construction of a southern New Hampshire turnpike. (Cobleigh of Hillsboro Dist. 15 — To Public Works.)

HB 639, to establish a commission to study tidal wetlands. (Urie of Belknap Dist. 1, Weilbrenner of Hillsboro Dist. 4 — To Resources, Recreation & Development.)

HB 640, establishing the time for application for special license plates numbers. (Morrill of Rockingham Dist. 7 — Bennett of Grafton Dist. 6 — To Transportation.)

HB 641, relative to tax exemptions for disabled veterans. (Logan of Sullivan Dist. 1, Cobleigh of Hillsboro Dist. 15 — To Municipal & County Government.)

HB 642, relative to the incorporation of the Upper Valley Planning and Development Council, Inc. (Johnson of Grafton Dist. 9 — To Municipal & County Government.)

HB 643, classifying certain highways in the towns of Albany and Barlett as Class II highways. (Howard of Carroll Dist. 1 — To Public Works.)

HB 644, relative to computation of the debt limit of the town of Plymouth. (Bell & Sears of Grafton Dist. 18 — To Municipal & County Government.)

HB 645, to establish a commission to study inland wetlands. (Urie of Belknap Dist. 1, Weilbrenner of Hillsboro Dist. 4 — To Resources, Recreation & Development.)

HB 646, relative to coordinating apprenticeship programs and agreements with related sources of instruction established by the state board of education. (Johnson of Grafton Dist. 9, Raiche of Hillsboro Dist. 34 — To Labor, Human Resources & Rehabilitation.)

HB 647, relative to establishment and validation of adult education and related course instruction programs. (Johnson of Grafton Dist. 9, Raiche of Hillsboro Dist. 34 — To Education.)

HB 648, changing the name of Nigger Island in Hanover to Gilman Island. (Radway & Johnson of Grafton Dist. 9 — To Fish & Game.)

HB 649, exempting certain property of the Manchester Historic Association from taxation. (Milne of Hillsboro Dist. 27 — To Ways & Menas.)

HB 650, relative to exhibiting wild animals. (Drake of Coos Dist. 3 — To Resources, Recreation & Development.)

HB 651, to enable towns to acquire and preserve historic sites and buildings. (Marden of Rockingham Dist. 7 — To Municipal & County Government.)

HB 652, relative to the examination of applicants for chiropractic licenses. (Anderson of Merrimack Dist. 25 — To Public Health, Welfare & Institutions.)

HB 653, relative to tolls paid by trailers. (Anderson of Merrimack Dist. 25 — To Public Works.)

HB 654, charging tax exempt organizations for services rendered. (Cate of Merrimack Dist. 20 — To Ways & Means.)

HB 655, relative to recoveries by the division of investigation of accounts. (Johnson of Grafton Dist. 9 — To Statutory Revision.)

HB 656, relative to school driver training programs. Johnson of Grafton Dist. 9 — To Transportation.)

HB 657, increasing the size of claims subject to the jurisdiction of small claims court. (Carrier of Hillsboro Dist. 27 — To Statutory Revision.)

HB 658, proposing and classifying a connecting road from the Pelham Road interchange on interstate route 93 to New Hampshire route 38. (Cares of Hillsboro Dist. 24 — To Public Works.)

HJR 60, in favor of L. Scott MacDonald. (Gage of Rockingham Dist. 16 — To Claims, Military & Veterans Affairs.)

HJR 61, establishing an interim committee to study the implementation of laws creating a July 1 — June 30 fiscal year for municipalities and permitting twice-a-year receipt of tax revenue. (Logan of Sullivan Dist. 1, Cobleigh of Hillsboro Dist. 15 — To Municipal & County Government.)

On motion of Rep. Hanson the order whereby HB 632, relative to the destruction of ballots by town and city clerks, was referred to Municipal and County Government be vacated and the bill referred to Constitutional Revision.

SENATE MESSAGE, INTRODUCTION OF SENATE  
CONCURRENT RESOLUTION AND REFERRAL

The Senate has passed the following concurrent resolution, in the passage of which it asks the concurrence of the House of Representatives:

SCR 1, requesting the members of the New Hampshire congressional delegation to seek legislation which will return a portion of the federal income tax to the states. Constitutional Revision.

*Whereas*, The relationship that exists between the Federal Government and the governments of the states is a matter of vital concern; and

*Whereas*, The states play an indispensable role in our Federal system of government; and

*Whereas*, Unless the trend toward restrictive categorical federal grants is reversed, these grants will so entwine themselves that a state's freedom of movement will be significantly inhibited; and

*Whereas*, There is a need and a justification for broader unfettered grants that will give states and localities more freedom of choice, more opportunity to express their own initiative which reflects their particular needs and preferences, all within the overall direction of national purpose; now, therefore, be it

*Resolved*, by the Senate of the State of New Hampshire, the House of Representatives concurring, That this Legislature respectfully requests the members of the New Hampshire congressional delegation to submit and/or support federal legislation to the following effect:

(1) That beginning with the next full fiscal year there shall be remitted to all of the states of these United States, an amount determined by the Secretary of the Treasury to be equal to not less than five percent of the aggregate total of individual and corporate income taxes paid to the United States during the preceding calendar year.

(2) That such funds shall be remitted to the states without restriction and this remission of funds shall be in addition to any other federal grant programs which may be enacted by the Congress.

(3) That each state shall share in such remission in proportion of the states, according to the last preceding Federal census; and, be it further

*Resolved*, That a duly attested copy of this resolution be immediately transmitted to each member of the Congress from this state.

Referred to Constitutional Revision.

\* \* \*

### FURTHER SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 259, relative to the practice of engineering.

HB 282, relative to the posting of land against use by snow vehicles.

HB 313, classifying a certain portion of old route 77 in Hopkinton-Everett floor area as a class III recreational highway.

HB 322, relative to inspection of motor vehicles.

HB 326, to reclassify certain sections of highways in the town of Campton.

HB 371, relative to requirements for state contracts for services.

HB 484, legalizing certain proceedings of Plymouth School district and permitting said school district to refund certain temporary notes.

### FURTHER SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in its amendment to the following Senate Bill:

SB 84, providing that a so-called Massachusetts trust, doing business in the state, shall be considered a foreign corporation.



## COMMITTEE OF CONFERENCE REPORTS

The Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bills.

HB 85, requiring that a report of bear kill be made to deer receiving stations.

HB 47, to allow greater flexibility in the use of funds appropriated for constructing and equipping a health training center at the state technical institute, having considered the same.

The Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 327, relative to toll-free use of certain New Hampshire highways by members of the General Court and granting an easement to use part of highway 25 in Center Harbor.

\* \* \*

## COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred House Bill No. 327, An Act relative to toll-free use of certain New Hampshire highways by members of the general court, having considered the same report the same with the following recommendations:

That the Senate recede from the adoption of its amendment, and

That the House recede from its position of nonconcurrence with the Senate amendment, and

That the House and Senate each adopt the following amendment:

Amend the title of the bill by striking out the same and inserting in place thereof the following:

## An Act

relative to toll-free use of certain New Hampshire highways by members of the general court

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Eastern New Hampshire Turnpike. Amend RSA 256 by inserting after section 8-a as inserted by 1963, 97:3 the following new section: 256:8-b Exemption from Tolls. Upon proper identification by legislative license plate, any elected member of the general court during his term of office shall be granted toll-free use of any section of the eastern New Hampshire turnpike.

2 Central New Hampshire Turnpike. Amend RSA 257 by inserting after section 7 the following new section: 257:7-a Exemption from Tolls. Upon proper identification by legislative license plate, any elected member of the general court during his term of office shall be granted toll-free use of any section of the central New Hampshire turnpike.

3 Effective Date. This act shall take effect upon passage.

Chas. F. Armstrong  
Laurier Lamontagne  
Conferees on the part of the Senate  
C. R. Trowbridge  
Henry C. Newell  
Ernest R. Coutermarsh  
Conferees on the part of the House

\* \* \*

The Clerk read the report in full.

At the request of Rep. Ferguson, Rep. Newell answered a question.

The Committee of Conference Report was adopted by vv.

#### REPORT OF COMMITTEE ON ENGROSSED BILLS

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bill and House Joint Resolution.

HB 484, An Act legalizing certain proceedings of Plymouth school district and permitting said school district to refund certain temporary notes.

HJR 58, Joint Resolution appropriating funds for the rent, maintenance and repair of the old post office building.

Roxie A. Forbes  
for the Committee

The report was accepted.

## COMMITTEE REPORTS

**HB 351**

to provide for absentee ballot voting in primary elections. Inexpedient to legislate. Rep. Wuelper for Constitutional Revision.

The Chair ruled the bill could lay before the House at the present time unless some member desired otherwise.

**CA-CR 11**

relating to legal voting age, providing that eighteen year olds may vote. Inexpedient to legislate, subject matter covered by other legislation. Rep. Wuelper for Constitutional Revision.

Resolution adopted by vv.

**CA-CR 12**

relating to legal voting age, providing that nineteen year olds may vote. Inexpedient to legislate; subject matter covered by other legislation. Rep. Wuelper for Constitutional Revision.

Resolution adopted by vv.

**CA-CR 24**

relating to voting age and qualification as to age in holding office and providing that eighteen year olds may vote but no person under twenty-one years of age may hold any elective office. Ought to pass with amendment. Rep. Wuelper for Constitutional Revision.

## AMENDMENT

Amend the caption of the resolution by striking out the same and inserting in place thereof the following:

Concurrent resolution proposing constitutional amendments relating to: Voting Age and Qualifications as to Age in Holding Office, and Providing that: Nineteen Year Olds May Vote But No Person under Twenty-one years of Age may Hold any Elective Office.

Amend paragraph I of the resolution by striking out in lines three and eight the word "eighteen" and inserting in place thereof the word (nineteen) so that said paragraph as amended shall read as follows:

I. Resolved, That Article 28 of Part Second (supp) as amended in 1958 of the Constitution of New Hampshire be amended by striking out in lines three and four the word "twenty-one" and inserting in place thereof the word (nineteen) so that said article as amended shall read as follows:

[Art.] 28th. [Senators, How and by Whom Chosen; Right of Suffrage.] The senate shall be the first branch of the legislature; and the senators shall be chosen in the following manner, viz.; Every inhabitant of each town, and ward and places unincorporated, in this state, of nineteen years of age and upwards, excepting paupers, and persons excused from paying taxes at their own request, shall have a right, at the biennial or other meetings of the inhabitants of said towns and wards, to be duly warned and holden biennially forever in the month of November, to vote in the town or ward wherein he dwells, for the senator in the district whereof he is a member.

Amend paragraph V of the resolution by striking out in line three the word "eighteen" and inserting in place thereof the word (nineteen) so that said paragraph as amended shall read as follows:

V. Resolved, That the sense of the qualified voters shall be taken by ballot upon the following question submitted to them by the General Court:

Are you in favor of amending the constitution to allow nineteen year olds to vote and to provide that no person under twenty-one years of age may hold elective office?

\* \* \*

Rep Chase explained the amendment.

Rep. Trowbridge moved that CA-CR 24 be made a special order for 11:01 Tuesday next and spoke in favor of the motion.

(discussion ensued)

Motion lost by vv.

The question being on the adoption of the committee amendment.

Reps. Ormiston, Hamilton, Wallin, and Coutermarsh spoke in favor of the amendment.

Reps. Burleigh, Lawton and MacDonald spoke against the amendment.

(discussion ensued)

## RECESS

### AFTER RECESS

(Rep. Stafford in the Chair)

Reps. deBlois, Twardus, Mackintosh, Schwaner and Wilfred Boisvert spoke against the amendment.

(discussion ensued)

Rep. Brungot spoke against the amendment.

(Speaker in the Chair)

Reps. Bowles, Charles Roberts, Carrier, Battenfeld, McLane, and Logan spoke in favor of the amendment.

Rep. Casey moved the previous question and it was sufficiently seconded.

Motion adopted by vv.

The question being, shall the main question now be put.

The question now being on the adoption of committee amendment.

Amendment lost by vv.

## PARLIAMENTARY INQUIRY

Rep. Battenfeld rose on a point of parliamentary inquiry.

Rep. Merrill requested a division.

The question now being on the adoption of the committee amendment.

142 members having voted in the affirmative and 170 in the negative the amendment lost.

The question now being on the adoption of the committee report.

Rep. Wallin requested a division.

Rep. Michel requested a roll call seconded by Rep. Bowles.

## ROLL CALL — CA-CR 24

Yes — 112

MERRIMACK COUNTY: Andrews, Sherman, Gile, Goff, Michels, York, Edward H., Davis, Alice, McLane, Glavin, Howard, C. Edwin, Chase, Lila S., Welch, Donald J.,

ROCKINGHAM COUNTY: Stimmell, Ormiston, DeCesare, Gelt, Scamman, Fiske, Ratoff, Greene, Hammonnd, Keefe, McEachern, Archie D., Bowles, Coussoule, Splaine, Bowlen, Croft.

STRAFFORD COUNTY: Dawson, Canney, Morrow, Clark, Shirley M., Tirrell, Hebert, Rolfe, Thompson, Barbara C., Murphy, Peter J.,

SULLIVAN COUNTY: Logan, Rousseau, Omer A., Angus, Spaulding, Roma A., Hamilton, Coggeshall, Saggiotes, Tracey, Merrifield, Williamson.

BELKNAP COUNTY: Roberts, Charles B., Randall, Earle F., Nighswander, Roberts, George B., Martin, Normandin, Dulac, Randlett, Stafford.

CARROLL COUNTY: Cox, Hayes, Chase, Russell C., Claffin, Fox,

CHESHIRE COUNTY: Trowbridge, Danielchik, Thompson, Willard L., O'Neil, Battenfeld, Saunders, Mackenzie, Barker, Sheldon L.,

COOS COUNTY: Drake, Oleson, Theriault.

GRAFTON COUNTY: Higgins, McGee, McMeekin, Johnson, William R., Radway, Dow, Merrill, Ellms, Blain, Buckman, Karsten,

HILLSBOROUGH COUNTY: Aucella, Sterling, Knight, Pohlman, Mann, Murray, Ferguson, Spalding, Kenneth W., Bridges, Brocklebank, Bouchard, Wallin, Drabinowicz, Dion, Robert A., Sirois, Van Loan, Carrier, Zachos, Nyberg, Bruton, Betley, Casey, Raiche, Belanger, Nourie, Levasseur, Nalette, Allard, Lesmerises,

NO — 234

MERRIMACK COUNTY: Bigelow, Reed, Irene L., Reddy, Hanson, Beauchesne, Enright, Gamache, Robinson, Bartlett, Avery, Mousseau, Kopperl, Burleigh, Dempsey, Gilman, Greeley, LaRoche, Mattice, Welch, Alfred E., Henry, Cheney,



Charles H., Sr., Phillips, Horan, MacDonald, Sanders, Fuller, Newell, Tarr.

ROCKINGHAM COUNTY: Fernald, Persson, Griffin, Hall, Adams, Gay, Kimball, Read, Maurice W., Senter, Tarbell, Morrill, Morrison, Sayer, White, George W., Sr., Palmer, Schwaner, Spollett, Cummings, Greenwood, Underwood, Goodrich, Hoar, Sewall, Twardus, Collishaw, Eastman, Gage, Jenkins, Varrill, Hamel, Randall, Anthony T., Cheney, George L., Casassa, Shindledecker, Leavitt, Weeks, Dorley.

STRAFFORD COUNTY: Drew, Robert B., Tebbetts, Cochrane, Shirley, Habel, Boire, Berkey, Vickery, Beaudoin, Levesque, Preston, Smith, Richard L., Tripp, Peabody, Raymond B., Leighton, Pray, Bernard, Webber, Fellows, Young, Kinney, Parnagian, Richardson, Harriett W. B., Torr.

SULLIVAN COUNTY: Mackintosh, Gaffney, Campbell, Barrows, Downing, Frizzell, Galbraith.

BELKNAP COUNTY: Allan, Stuart B., Lawton, Wuelper, deBlois, Head, Prescott, Foster, Claude W.,.

CARROLL COUNTY: Howard, Donald K., Davis, Esther M., Roberts, Milburn F., Remick, Davis, Dorothy W., Hickey.

CHESHIRE COUNTY: Ballam, Johnson, Edward A., Churchill, Forbes, Austin, Cournoyer, Bennett, Jennie B., Johnson, Elmer L., Dunham, Tasoulas, Raymond, Pollock, Callahan, Heald, Cleon E., Walker, Moran, Drew, Harold F.

COOS COUNTY: Huggins, Marsh, Noyes, Bushey, Hunt, Manning, A. George, Shute, O'Hara, Dubey, Roy, Edgar J., Desilets, Studd, York, Elmer H., Brungot, McCuin, Gagnon, Parent, Thurston, Richardson, Mabel L.

GRAFTON COUNTY: Gardner, Van H., Rich, Stevenson, Tilton, Brummer, Bennett, Phil A., Anderson, Fayne E., Smith, Manson B., Foster, Carl P., Duhaime, Roger M., Tremblay, Dudley, Hopkins, Bell, Sears, Mitchell.

HILLSBOROUGH COUNTY: Eaton, Sawyer, Brown, Vallee, Weilbrenner, Daloz, Karnis, Fortin, Heald, Philip C., Jr., Warren, Carter, Bragdon, Barker, Helen A., Record, Laplante, Lesage, Mason, Desmarais, Lachance, Poliquin, Bouley, Chamard, Cote, Margaret S., Aubut, Boisvert, Wilfred A., Dubois, Bissonnette, Latour, Bednar, Lynch, Kenney, Peabody, Arthur

H., Watson, Buker, Goode, Loxton, Carmen, Lang, Milne, Gardner, William J., Montplaisir, Murphy, Francis, Roy, Antoinette B., Cote, Joseph, Dion, Leo L., Duhaime, Armand L., Cullity, McDermott, Manning, Thomas E., Barrett, Clancy, Healy, Lomazzo, O'Connor, Michael F., Lafrance, Thibeault, Bernier, Campono, Champagne, Chevrette, Delisle, Derome, Walsh, Michael P., O'Connor, James P., Sweeney, Clear, Storm, Capistran, Lambert, Lavallee, Rousseau, Hector J., Burke.

### PAIRS

Rep. Bent voting No paired with Rep. Nixon voting Yes.

Rep. Cate voting No paired with Rep. Cares voting Yes. and the report was not adopted.

Rep. Lawton moved to substitute the words "inexpedient to legislate" on CA-CR 24 for the words. Ought to pass.

Motion adopted by vv.

The Chair appointed the following to represent the House at the funeral of Cecil C. Humphreys: Cecil Dame to represent Marshall Cobleigh, Speaker, Rep. Osborn to represent the City of Portsmouth, Rep. Maynard for the City Delegation and Dorothy L. Miller appointed to represent the Staff.

\* \* \*

### COMMITTEE CHANGE

Rep. Hebert was removed from Statutory Revision and assigned to the committee on Public Works in place of Rep. Weilbrenner.

Rep. Stafford moved to adjourn from the early session.

On motion of Rep. Logan the remainder of the Calendar was placed on the Calendar for next Tuesday.

### LATE SESSION

On motion of Rep. Stafford the House adjourned at 4:05 p.m. in memory of Robert Ahern from Laconia who was killed in Viet Nam, the latest New Hampshire casualty.

*Tuesday, April 8, 1969*

The House met at 11:00 o'clock.

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

Grant unto us, O God, the awareness of Thy Presence and enable us to seek Thy Way in the fulfillment of our responsibilities. We praise Thee for Thy Greatness, Thy Righteousness, and Thy Loving-kindness. We thank Thee for Thy Providence and Thy constant concern for the welfare of Thy Creation. We rejoice in Thy Salvation made manifest to us and powerful in us through the living example of Jesus Christ. We open our hearts to receive Thy Spirit — the Spirit of goodness, of love, of power, of beauty, and of truth. May our decisions today honor the best that is in us and glorify Thy Divine Purpose. May we be more than echoes of the past; but with Thy help we can be workers in the present and voices for the future. Amen.

## PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Vachon led the House in the Pledge of Allegiance to the Flag.

\* \* \*

Rep. Adams moved that the gentlemen be allowed to remove their coats.

Motion adopted by vv.

\* \* \*

## LEAVES OF ABSENCE

Reps. Antoinette Roy and Stafford were granted leave of absence for the day on account of illness.

Rep. Osborn was granted leave of absence for the week on account of illness.

Reps. Scamman, Urie and Bridges were granted leave of absence for the week on account of important business.

Reps. Cone and Moran were granted leave of absence for two weeks on account of important business.

Rep. Hamel was granted leave of absence for the day on account of important business.

\* \* \*

### RESOLUTION

Rep. McMeekin offered the following resolution:

Resolved, that in accordance with the list in the possession of the clerk, House Bills numbered 659 through 666 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.

### INTRODUCTION OF BILLS

The following bills were read a first and second time, laid on the table for printing and referred as follows:

HB 659, providing for special fishing permits for patients, clients and students at Crotched Mountain Center. (Stevenson of Grafton Dist. 1 — To Fish & Game.)

HB 660, establishing a state personnel evaluation system. (Logan of Sullivan Dist. 1, Cobleigh of Hillsboro Dist. 15 — To Appropriations.)

HB 661, relative to bequests to charities. (Welch of Merrimack Dist. 18, Foster of Grafton Dist. 11 — To Statutory Revision.)

HB 662, relative to the open season for taking of partridge. (Maynard of Rockingham Dist. 24, Raymond of Cheshire Dist. 13 — To Fish & Game.)

HB 663, relative to the issuance of building permits. (Bednar of Hillsboro Dist. 23 Referred to Committee on Municipal & County Government.)

HB 664, relative to the penalty for use of a gun while committing a felony. (Merrill of Grafton Dist. 13 — To Judiciary.)

HB 665, regulating the speed of motor boats on Wickwas, Pemigewasset and Winona Lakes. (Urie of Belknap Dist. 1 — To Resources, Recreation & Development.)

HB 666, relative to the licensing of dogs and certification of rabies vaccination. (Cate of Merrimack Dist. 20 — To Public Health, Welfare & Institutions.)

### ENGROSSED BILLS COMMITTEE REPORT

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bills and Senate Bills:

HB 85, An Act requiring that a report of bear kill be made to deer receiving stations.

HB 267, An Act in favor of Roger J. Paradise.

HB 282, An Act relative to the posting of land against use by snow vehicles.

HB 303, An Act relative to the operation of motorcycles.

HB 313, An Act classifying a certain portion of old route 77 in Hopkinton-Everett flood area as a class III recreational highway.

HB 322, An Act relative to inspection of motor vehicles.

HB 326, An Act to reclassify certain sections of highways in the town of Campton.

HB 327, An Act relative to toll-free use of certain New Hampshire highways by members of the general court.

HB 371, An Act relative to requirements for state contracts for services.

SB 17, An Act to provide for cumulative pocket supplements for Revised Statutes Annotated.

SB 47, An Act relative to foreign partnerships.

SB 83, An Act relative to the political calendar.

SB 84, An Act providing that a so-called Massachusetts trust, doing business in the state, shall be considered a foreign corporation.

SB 96, An Act relative to the creation of the New Hampshire Vermont District of the Unitarian Universalist Association.

SB 97, An Act relative to the possession of unregistered deer.

HJR 5, Joint Resolution in favor of Lawrence E. Philbrook.

Roxie A. Forbes  
for the Committee

### SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

SB 25, relative to the reduction of minimum term of prisoners for donation of blood.

### FURTHER SENATE MESSAGE, INTRODUCTION OF SENATE BILLS, SJR AND REFERRAL

The following SJR and Senate Bills were read a first and second time and referred as follows:

SJR 10, transferring fifty thousand dollars from the unemployment compensation contingency fund to general funds. — Appropriations.

SB 1, authorizing the lapse of certain accounts to the general fund and reducing the appropriation to certain departments. — Appropriations.

SB 54, establishing a legislative study committee. — Statutory Revision.

### COMMITTEE REPORTS

#### HB 386

relative to the investment of saving deposits by a bank doing a general banking business. Ought to pass with amendment. Rep. Milne for Banks and Insurance.

### AMENDMENT

Amend the title of said bill by adding at the end thereof the following: (and abolishing the guaranty fund.) so that said title, as amended, shall read as follows:



## AN ACT

relative to the investment of savings deposits by a bank doing a general banking business, and abolishing the guaranty fund.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Increasing Size of Surplus Fund of Chartered Banks. Amend RSA 390:8 by striking out in line three the word "twenty-five" and inserting in place thereof the words (one hundred) so that said section as amended shall read as follows: 390:8 Surplus Funds. Every such corporation shall set aside annually a sum equal to not less than ten percent of its net earnings as a surplus fund until such fund amounts to one hundred per cent of its capital stock, which fund shall be invested in the same manner as deposits in savings banks may be invested.

2 Repealing Guaranty Fund and Defining Deposits. Amend RSA 390:9 as amended by 1967, 23:3 by striking out the same and inserting in place thereof the following: 390:9 Time and Savings Deposits. Every such corporation receiving time and savings deposits or transacting the business of a savings bank shall keep invested only in the classes of securities and loans authorized for savings banks an amount, which when added to its reserves, is not less than the aggregate amount of all its time and savings deposits, subject to the limitations, however, contained in RSA 387:3, except that in determining the unsecured loaning limitation, capital funds shall be defined as capital debentures, if any, capital stock, surplus, and reserves not allocated to any known liability, and may invest the balance of its funds in loans and investments authorized for the commercial department of a trust company under the provisions of RSA 392:39 and 40.

3 Increasing Size of Surplus of Incorporated Banks. Amend RSA 392:36 by striking out in line three the word "twenty-five" and inserting in place thereof the words (one hundred) so that said section as amended shall read as follows: 392:36 Requirements. Every such corporation shall set aside annually not less than ten per cent of its net earnings as a surplus fund, until such fund amounts to one hundred per cent of its capital stock; but no part of this fund shall be used in the payment of dividends on the stock of the corporation.

4 Transfer of Guaranty Fund. On the effective date of this act the guaranty fund of every such corporation shall be closed out and the balance transferred to the surplus fund.

5 Effective Date. This act shall take effect sixty days after its passage.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

#### **HB 469**

licensing insurance claims adjusters. Ought to pass with amendment. Rep. Fortin for Banks and Insurance.

### AMENDMENT

Amend RSA 402-B:2 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

402-B:2 Persons Exempt. The provisions of this chapter shall not apply to the following:— (a) to claims processed by a salaried office employee, licensed company agent or licensed broker dealing with a claimant in conjunction with his other duties and (b) to attorneys and counsellors at law duly admitted to practice pursuant to the provisions of RSA 311.

Amend RSA 402-B:6 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

402-B:6 Rules and Regulations. The commissioner may make reasonable rules and regulations necessary to affect the purposes of this chapter.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

#### **HB 511**

relative to allowing credit and supervisory committee members the same borrowing privileges now available to members of boards of directors of credit unions. Ought to pass. Rep. Avery for Banks and Insurance.

Ordered to third reading by vv.

**HJR 49**

to reimburse Robert E. Cross for loss of his automobile. Ought to pass with amendment. Rep. Mousseau for Claims, Military and Veterans Affairs.

**AMENDMENT**

Amend the resolution by striking out all after the resolving clause and inserting in place thereof the following:

The sum of nine hundred dollars is hereby appropriated to reimburse Robert E. Cross for damages he sustained as a result of the burning of his automobile while it was in the custody of the state police. This sum is for full and final settlement of this claim. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

**HB 523**

requiring certain retail businesses to be closed on certain holidays. Inexpedient to legislate. Rep. Senter for Constitutional Revision.

Rep. Coutermarsh moved that the words "Refer to Legislative Council" be substituted for the committee report "inexpedient to legislate" and spoke in favor of the motion.

Rep. Aucella spoke in favor of the motion.

Motion adopted by vv.

**HB 427**

providing grants to school districts toward teachers' salaries. Refer to the Governor's Education Aid Fund Committee. Rep. Dunham for Education.

Resolution adopted by vv.

**HB 432**

to establish a textbook aid system for the schools of the state, and making an appropriation therefor. Refer to the Commission to Study Non-public School Problems. Rep. Dunham for Education.

Resolution adopted by vv.

**HJR 56**

providing for preliminary studies for the creation of a Merrimack Valley Branch of the University of New Hampshire, and making an appropriation therefor. Ought to pass with amendment. Rep. Dunham for Education.

**AMENDMENT**

Amend the resolution by striking out all after the caption and inserting in place thereof the following:

*Whereas*, it is the public policy of the state to create a Merrimack Valley Branch of the University of New Hampshire in the Manchester area; and

*Whereas*, the experience of the Merrimack Valley Branch of the University of New Hampshire has shown both a substantial enrollment and growth potential for both undergraduate and graduate courses in the Manchester — Nashua area; and

*Whereas*, to adequately meet these demands a permanent facility and campus is necessary and desirable; now therefore

*Be it Resolved by the Senate and House of Representatives in General Court convened:*

That the sum of sixty thousand dollars is hereby appropriated to be expended by the University of New Hampshire trustees for the exclusive purposes of preliminary studies, architectural renderings, land options, and other necessary measures needed for the establishment of the Merrimack Valley Branch of the University of New Hampshire. This appropriation shall lapse July 1, 1971. The governor is authorized to draw his warrants for said sum out of any money in the treasury not otherwise appropriated.

Amendment adopted by vv and the Joint Resolution referred to Appropriations under the Rules.

**HB 340**

establishing an office of consumer counsel in the office of the governor, and making appropriation therefor. Inexpedient to legislate; subject matter covered by other legislation. Rep. Shirley Clark for Executive Departments and Administration.

Resolution adopted by vv.

**HB 349**

to establish the unclassified position of assistant commissioner of safety and making an appropriation therefor. Ought to pass. Rep. Shirley Clark for Executive Departments and Administration.

Referred to Appropriations under the Rules.

**HB 355**

to establish a consumer fraud division in the office of the attorney general, and making appropriation therefor. Inexpedient to legislate; subject matter covered by other legislation. Rep. Shirley Clark for Executive Departments and Administration.

Resolution adopted by vv.

**HB 424**

providing cost of living retirement allowances for police and firefighters who shall have retired prior to July 1, 1961, and making an appropriation therefor. Ought to pass. Rep. Shirley Clark for Executive Departments and Administration.

Referred to Appropriations under the Rules.

**HB 425**

providing cost of living retirement allowances for police and firefighters who shall have retired subsequent to July 1, 1969 and prior to January 1, 1968, and making an appropriation therefor. Ought to pass. Rep. Shirley Clark for Executive Departments and Administration.

Referred to Appropriations under the Rules.

**HB 426**

providing cost of living retirement allowances for police and firefighters who shall have retired subsequent to January 1, 1968 and prior to December 31, 1969, and making an appropriation therefor. Inexpedient to legislate. Rep. Shirley Clark for Executive Departments and Administration.

Resolution adopted by vv.

**HB 451**

eliminating the age requirement for retirement from the New Hampshire retirement system by group II members and making an appropriation therefor. Inexpedient to legislate.

Rep. Shirley Clark for Executive Departments and Administration.

Resolution adopted by vv.

**HB 452**

eliminating the age requirement for retirement from the policemen's retirement system and making an appropriation therefor. Inexpedient to legislate. Rep. Shirley Clark for Executive Departments and Administration.

Resolution adopted by vv.

**HB 501**

relative to resident alien hunting and fishing licenses. Inexpedient to legislate. Rep. Huggins for Fish and Game.

Resolution adopted by vv.

**SB 99**

providing for a ten day season for hunting deer with muzzle-loaders. Ought to pass. Rep. Huggins for Fish and Game.

Ordered to third reading by vv.

**HB 519**

relative to powers and duties of the presiding officers of the general court and the fiscal committee. Inexpedient to legislate. Rep. Mackintosh for Legislative Revision.

Rep. Newell moved that the words "ought to pass" be substituted for the committee report "inexpedient to legislate" and spoke in favor of the motion.

At the request of Rep. Newell, Rep. Mackintosh answered questions.

(discussion ensued)

Rep. Mackintosh spoke against the motion.

Rep. Newell requested a quorum count.

**PARLIAMENTARY INQUIRY**

Rep. Newell rose on a point of parliamentary inquiry.

275 answering the quorum count, the Chair ruled a quorum was present.



The question being on the motion to substitute "ought to pass" for committee report "inexpedient to legislate."

Rep. Newell requested a division.

69 members having voted in the affirmative and 159 in the negative, the motion to substitute was lost.

The question now being on the adoption of the committee report "inexpedient to legislate."

Resolution adopted by vv.

### **HB 375**

relative to dancing in places where liquor is sold. Inexpedient to legislate. Rep. deBlois for Liquor Laws.

At the request of Rep. Higgins, Rep. deBlois explained the committee resolution.

Resolution adopted by vv.

### **HB 509**

relative to places where liquor commission agents may enter to enforce liquor laws. Inexpedient to legislate. Rep. Sweeney for Liquor Laws.

Resolution adopted by vv.

### **HB 400**

establishing an office of municipal services and making an appropriation therefor. Ought to pass. Rep. Hanson for Municipal and County Government.

Rep. Schwaner moved that HB 400 be indefinitely postponed and spoke in favor of the motion.

Reps. Hanson and Raiche spoke against the motion.

(discussion ensued)

Rep. Logan spoke against the motion.

Motion lost by vv.

Rep. Fortin requested a division.

131 members voted in the affirmative and 106 in the negative; subsequently Rep. Logan requested a quorum count.

256 answered the quorum count. Due to a lack of 2/3 of those present voting in favor the motion to indefinitely postpone lost.

## PARLIAMENTARY INQUIRY

Reps. Newell, Belanger, deBlois and Bednar rose on a point of parliamentary inquiry.

The Chair stated that Part Second, Article 20 defines a quorum as a majority of the members, but that when less than 2/3 of the representatives elected are present, the assent of 2/3 of those members shall be necessary to render any act valid.

Rep. Lambert moved that HB 400 be made a special order for 11:01 Tuesday next and subsequently withdrew his motion.

The Chair referred HB 400 to Appropriations under the Rules.

**HB 537**

relative to expenses of extinguishing fires and distribution of yield taxes from unincorporated places. Ought to pass with amendment. Rep. Stuart B. Allan for Municipal and County Government.

## AMENDMENT

Amend the title of said bill by striking out the same and inserting in place thereof the following:

## AN ACT

relative to expenses of extinguishing fires in unincorporated places.

Amend said bill by striking out section 1 and by renumbering sections 2 and 3 to read sections 1 and 2 respectively.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

**HB 287**

relative to the expansion of the water system at the University of New Hampshire and making an appropriation therefor. Ought to pass with amendment. Rep. Raymond for Public Works.

## AMENDMENT

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Purposes. The appropriation in section 1 is available for all university costs incident to the installation of connecting water lines to the Lamprey River water supply source, the installation of the necessary pumps, filters, pretreatment tanks, sludge and wash water disposal facilities and construction of such facilities as are necessary to bring the capacity of the total system to an adequate safe level of one and seven tenths million gallons per day. These moneys appropriated will be spent under the direction of the board of trustees of the University of New Hampshire. The town of Durham will be responsible for its proportionate share of stage one.

\* \* \*

Amendment adopted by vv. Referred to Appropriations under the Rules.

(Rep. Cares in the Chair)

#### HB 494

legalizing proceedings of Hopkinton School District Meetings held in the Town of Hopkinton on March 16, 1968 and March 15, 1969. Ought to pass with amendment. Rep. Coggeshall for Statutory Revision.

#### AMENDMENT

Amend the title of the bill by striking out the same and inserting in place thereof the following:

#### AN ACT

legalizing proceedings of Hopkinton School District Meetings held in the Town of Hopkinton on March 12 and 16, 1968 and March 11 and 15, 1969

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Proceedings Legalized. All of the acts, votes and proceedings taken at meetings of Hopkinton School District held on March 12 and 16, 1968 and March 11 and 15, 1969 are hereby legalized, ratified, approved and confirmed.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

**HB 500**

relative to issuing licenses to carry a loaded pistol or revolver. Inexpedient to legislate. Rep. Coggeshall for Statutory Revision.

Rep. Sheldon Barker moved that the words "ought to pass" be substituted for the committee report "inexpedient to legislate" and spoke in favor of the motion.

Rep. McMeekin spoke against the motion.

Motion lost by vv.

Resolution adopted by vv.

**HB 347**

relative to taxation of real estate separate from ore, sand, gravel, loam or similar substances. Ought to pass. Rep. Maloomian for Ways and Means.

Ordered to third reading by vv.

**HB 392**

increasing the tax upon the sale of motor fuel. Inexpedient to legislate. Rep. Storm for Ways and Means.

Resolution adopted by vv.

**HB 394**

allowing for tax incentives for commercial and industrial growth. Inexpedient to legislate. Rep. McLane for Ways and Means.

Resolution adopted by vv.

**RECESS****AFTER RECESS**

(Rep. Cares in the Chair)

**COMMITTEE REPORTS CONTINUED****HB 271**

to establish a department of adult correction and making an appropriation therefor. Inexpedient to legislate. Rep. Cate for Labor, Human Resources and Rehabilitation.

Resolution adopted by vv.

**HB 417**

relative to the appointment of a wage board and making an appropriation therefor. Ought to pass with amendment.

Rep. Willard Thompson for Labor, Human Resources and Rehabilitation.

### AMENDMENT

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Wage Boards Appointed. The commissioner of labor forthwith shall appoint wage boards in conformity with RSA 279:5 for the purpose of making a study of the wages of employees of restaurants, hotels, inns, cabins and students in cosmetology schools who perform work on paying customers. Said boards shall serve without pay but the sum of thirty-five hundred dollars is hereby appropriated for their necessary expenses. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

\* \* \*

Amendment adopted by vv. Referred to Appropriations under the Rules.

### HB 442

to create a State Department of Corrections. Ought to pass with amendment. Rep. Knight for Labor, Human Resources and Rehabilitation.

### AMENDMENT

Amend RSA 615-A:4, II, as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

II. The county commissioners of the state shall prepare a list of twelve nominees and submit them to the governor, within thirty days of the date of the request of the governor, from which the governor shall appoint four members of the board. County commissioners may be named as nominees. If the list is not submitted by the county commissioners within thirty days of the receipt of the request for nominees, the governor shall appoint four members of his choosing. The governor shall appoint three members, one from the advisory board of the state prison, one from the advisory board of the industrial school, and one from the probation advisory board. The governor shall

appoint six other qualified members, one of whom he shall appoint as chairman. Three of these shall be elected officials. The Governor shall designate which three of his appointees are serving in an elected official capacity. Those so designated shall serve for a regular term or until they no longer hold elected office, whichever occurs sooner. In the event a member designated an elected official no longer holds public office, he shall resign and be replaced by an elected official who shall serve for the unexpired term. The chairman shall serve at the pleasure of the governor. Replacement of members of the board due to expiration of term, resignation, or other cause, shall reflect representation of the nominees of the county commissioners and of members of the advisory boards in the same ratio as in the initial appointments.

Amend RSA 615-A:7, II, as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

II. The department shall make studies and surveys of the programs and the administration of all detention and correctional facilities operated by sub-divisions of the state. Personnel of the department shall be admitted to these facilities for these purposes after having given reasonable notice to the responsible county commissioners or in the case of a city or town institution, to the chief of police.

Amend RSA 615-A:10, VII, as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

VII. The commissioner may conduct demonstration projects with persons committed to county jails and houses of correction following due notice to the county commissioners of the institutions involved.

Amend RSA 615-A:13, I, as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

I. The commissioner shall make an annual report to the governor on the work of the department, to include recommendations for legislation relating to the department. The report shall include data, research reports, and any other performance studies concerning the operations of the department. The di-



rector shall also furnish copies of the report to each member of the legislature and county commissioners, and he shall provide copies for the public.

Amend RSA 615-A:13, III, as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

III. The commissioner shall make a report to the board with copies to the county commissioners on the studies and surveys required by section 7, II, of this chapter, upon the conclusion of each study.

Amend RSA 615-A:19 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

615-A:19 Medical Care. The commissioner shall recommend standards for health, medical, and dental services for all correctional institutions, to include preventive, diagnostic, and therapeutic measures on both an out-patient and hospital basis, to meet the medical needs of all types of patients.

Amend RSA 615-A:21, VI, as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

VI. To enable a county or combination of counties to meet the minimum standards set by the department, the commissioner, in his discretion, may approve a grant to a county or combination of counties to be used in a manner approved to develop a program which will meet the standards set by the commissioner. However, the recipient shall supply funds to meet at least one-half of the cost of the approved program. Each such plan of development shall be submitted to the board for approval. When approved by the board, the commissioner shall aid the counties in the developing of the program, and shall make quarterly reports to the board on the progress of the program.

Amendment adopted by vv. Referred to Appropriations under the Rules.

#### HB 447

establishing the position of administrative assistant in the division of vocational rehabilitation and making an appropria-

tion therefor. Ought to pass. Rep. Cate for Labor, Human Resources and Rehabilitation.

Referred to Appropriations under the Rules.

#### **HB 449**

to create community rehabilitation facility programs and making an appropriation therefor. Ought to pass with amendment. Rep. Merrill for Labor, Human Resources and Rehabilitation.

#### **AMENDMENT**

Amend RSA 200-E:6 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

200-E:6 Application for Funds. Any state subdivision or private nonprofit corporation administering a rehabilitation facilities program under this chapter may apply for the funds authorized by this chapter by submitting a statement of purpose and goals, substantiation of need for service, detailed operating plans, and annual budget for the next fiscal year to the commissioner, department of education, for approval.

Amend RSA 200-E:8, IX, as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

IX. In all grants the fair rental value of any physical facility furnished by a community and acceptable under this chapter shall be counted as part of the matching funds raised locally. The commissioner of education shall determine the amount of fair rental value of the facilities, based upon the amount of rent for comparable facilities in the community.

Amend RSA 200-E:10, III (a), as inserted by section 1 of the bill by striking out said subparagraph and inserting in place thereof the following:

(a) continuously review and evaluate its rehabilitation programs and services, and make an annual report of its findings to the commissioner of education and to the local public, together with its recommendations for increases or decreases in particular services and programs or for new services or programs;

Amend the introductory paragraph of RSA 200-E:11 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

200-E:11 Duties of State Board of Education. In addition to the other powers and duties assigned to the board by this chapter, it shall:

Amend RSA 200-E:12 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

200-E:12 Federal Aid. The state board of education, through the commissioner of education, is authorized to make application to and receive funds from; to cooperate with; and to enter into any agreements with the federal government or any agency of the federal government to secure the participation of the United States government to the allotment of federal funds in the vocational rehabilitation program of the state; and to accept grants from the federal government for rehabilitation services by local communities and to distribute these funds in accordance with the terms of the grant.

Amend section 3 of the bill by striking out the same and inserting in place thereof the following:

3 Effective Date. This act shall take effect July 1, 1969.

\* \* \*

Amendment adopted by vv. Referred to Appropriations under the Rules.

#### **HB 458**

establishing the position of rehabilitation counselor I. Ought to pass. Rep. Cate for Labor, Human Resources and Rehabilitation.

Referred to Appropriations under the Rules.

#### **HB 369**

to increase the lobbyists registration fee. Inexpedient to legislate. Rep. A. George Manning for Legislative Revision.

Rep. Maloomian moved that the words "ought to pass" be substituted for the committee report "inexpedient to legislate" and spoke in favor of the motion.

Rep. A. George Manning spoke against the motion.

Rep. Nixon spoke in favor of the motion.

(discussion ensued)

Rep. Keeney spoke against the motion.

Rep. A. George Manning spoke a second time against the motion.

On a vv the Chair was in doubt and a division was requested.

The chair requested a quorum count.

276 members answered the quorum count and a quorum was declared present, and the motion was adopted.

131 members having voted in the affirmative and 114 in the negative the motion was adopted.

(Speaker in the Chair)

Rep. Belanger requested the Yeas and Nays and failed to receive a second.

The question now being, shall the bill be read a third time.

Rep. Keeney moved that HB 369 be committed to the committee on Ways and Means and spoke in favor of the motion.

Rep. A. George Manning spoke in favor of the motion.

(discussion ensued)

Motion lost by vv.

The question now being, shall the bill be ordered to a third reading.

Ordered to third reading by vv.

#### **HB 154**

relative to abandoned or neglected cemetery lots. Ought to pass with amendment. Rep. McMeekin for Statutory Revision.

#### **AMENDMENT**

Amend paragraph I of RSA 289:19 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

I. "Cemetery" shall mean any public cemetery owned, managed or controlled by any city or town within this state or by any voluntary corporation organized for the purpose of operating a cemetery for the benefit of the public.

Amend paragraph II of RSA 289:19 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

II. "Cemetery Board" shall mean any board, trustee or public official or officials invested by law with the duty of managing or controlling any cemetery or any board of trustees managing or controlling a cemetery owned by a voluntary corporation.

Amend paragraph III of RSA 289:19 as inserted by section 1 of the bill by striking out in line one the words "or portion thereof" so that said paragraph as amended shall read as follows:

III. "Burial space" shall mean a lot in any cemetery as designed and intended for the interment of human bodies or of a human body, but not used for such purpose.

Amend paragraph I of RSA 289:20 as inserted by section 1 of the bill by striking out in line three the word "seven" and inserting in place thereof the word (twenty) so that said paragraph as amended shall read as follows:

I. Whenever the owner of any burial space or spaces in any public cemetery subject to the provisions of this subdivision shall have failed and neglected for a period of twenty years or more to care for and maintain such space or spaces in accordance with the laws, rules and regulations relating thereto and providing for such care and maintenance, the board or other officials having jurisdiction over such cemetery may institute proceedings for the termination and forfeiture of the rights and interests of such owner.

Amend RSA 289:21 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

289:21 Order of Forfeiture with Right to Resell. Upon a finding by the court that the owner has failed and neglected for a period of twenty years preceding the filing of said petition to comply with the rules and regulations relating to maintenance

and care of said burial space or spaces, it shall order that the rights and interests of said owner are forfeited and terminated and that the city, town or voluntary corporation operating said cemetery shall have the right to resell such space or spaces to use the proceeds as provided in section 289:25. A duly certified copy of said order shall be, within ten days, personally served upon such owner or be sent by registered mail to his last known address.

Amend RSA 289:22 as inserted by section 1 of the bill by inserting in line two before the word "spaces" the words (space or) so that said section as amended shall read as follows:

289:22 Redemption. The owner may, within sixty days of the date of the order, redeem his interest and rights in said space or spaces by complying with the rules and regulations relative to the care and maintenance thereof and by paying the costs of the proceedings, not exceeding fifteen dollars. If the owner does so redeem, the order of termination and forfeiture shall be set aside.

Amend RSA 289:23 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

289:23 Duties of Boards. It shall be the duty of cemetery boards to keep an accurate account of all expenses incurred by them under the provisions of this subdivision and to charge the same against the burial space or spaces involved. If the owner fails to redeem his rights as provided in section 289:22, the board shall maintain and care for the burial space or spaces and shall keep an accurate and detailed account of all money expended for such purpose.

Amend RSA 289:25 as inserted by section 1 of the bill by inserting in line three before the word "spaces" the words (space or); and by striking out in line six the word "act" and inserting in place thereof the word (subdivision) so that said section as amended shall read as follows:

289:25 Sale; Trust Fund. If the owner does not obtain a reconveyance as provided in section 289:24 within the said two years, the cemetery board shall sell such space or spaces in accordance with the rules and regulations governing the sale of lots and spaces in said cemetery. The proceeds from said sale



shall be used to defray the expenses incurred in accordance with the provisions of this subdivision and the balance, if any, shall be placed in a fund to be known as the "perpetual care trust fund" of the cemetery. The income therefrom shall be used by the board for the future maintenance, care and upkeep of the cemetery.

Amend RSA 289:26 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

289:26. Rights not Forfeited. Nothing in this subdivision shall be construed to authorize the forfeiture or termination of rights or interests in and to any burial space or spaces that have been used for interment nor shall any such space or spaces be subject to resale under the provisions hereof.

\* \* \*

At the request of Rep. deBlois, Rep. McMeekin answered a question.

Amendment adopted and the bill ordered to third reading by vv.

\* \* \*

#### CONC. RES. 12

Reps. Bell and Sears offered the following Concurrent Resolution No. 12.

#### STATE OF NEW HAMPSHIRE In the year of Our Lord one thousand nine hundred and sixty-nine

*Whereas*, the National Book Committee, formed in 1954, concerned with the social and cultural implications of reading as distinct from the professional and commercial problems of librarians and publishers, its purpose being to keep books free, make them widely available and encourage people to read them, and

*Whereas*, the American Library Association, founded in 1876, is concerned with promoting library service and librarianship, and

*Whereas*, the aforesaid organizations together began sponsoring National Library Week in 1958 as a concerted nationwide effort to focus public attention on reading as a source of personal fulfillment, on the importance of literacy in our national progress, and on school, public, college, university, and special libraries which, used fully and supported properly, can make reading accessible to everybody; now therefore be it

*Resolved* by the House of Representatives (the Senate concurring) of the State of New Hampshire that the General Court congratulate librarians, library trustees, library commissioners and friends of libraries for their efforts to bring library services to all citizens of New Hampshire through use of the New Hampshire Library Development Program, and dedicate itself to continued support of this program as a means of enriching New Hampshire's human resources; and be it further

*Resolved*, that a copy of this resolution be transmitted to the Executive Director of National Library Week in New Hampshire.

\* \* \*

Resolution adopted by vv.

### RESOLUTIONS

Reps. Kenneth S. Morrow, Loring V. Tirrell, and Russell E. Underwood offered the following resolutions:

### RESOLUTIONS

*Whereas*, we have learned with regret of the death of Eloi A. Adams, former Representative from Madbury, and

*Whereas*, Mr. Adams served his community faithfully and with efficiency, therefore be it

*Resolved*, that we, the members of the House of Representatives in General Court convened, do hereby extend our sympathy to his family, and be it further

*Resolved* that a copy of these resolutions be transmitted to Mrs. Adams.

\* \* \*

Resolutions adopted by vv.

The Chair called for the special order on HB 335, restructuring the department of resources and economic develop-

ment. Ought to pass with amendment. Rep. Martin for Executive Departments and Administration.

### AMENDMENT

Amend section 8 of the bill by striking out in line five the word "five" and inserting in place thereof the word (four) so that said section as amended shall read as follows:

8 Commissioner of Resources and Development. Amend RSA 12-A:2 (supp) as inserted by 1961, 223:3 by striking out said section and inserting in place thereof the following: 12-A:2 Commissioner of Resources and Development. There shall be a commissioner of resources and development who shall be appointed by the governor and council for a term of four years from the date of his appointment and until the successor is appointed and qualified. A vacancy shall be filled for the unexpired term. It shall be the responsibility of the commissioner to organize and direct the work of the department. Directors of departmental divisions shall be subject to the authority of the commissioner, which authority shall include power to establish department and divisional policy as well as to control actual operations of the department and all divisions therein.

Amend section 9 of the bill by striking out the same and inserting in place thereof the following:

9 Continuation in Office. The commissioner of the department of resources and economic development in office on the effective date of this act shall continue in office as the commissioner of the department of resources and development for the remainder of his present term of office.

Amend section 11 of the bill by striking out the same and inserting in place thereof the following:

11 Advisory Council Established. Amend RSA 12-A (supp) by inserting after section 5-a, as amended, the following new section: 12-A:5-b Advisory Council Established. There shall be a council advisory to the commissioner of resources and development consisting of eight members, four of whom shall be clearly resource oriented and four of whom shall be clearly development oriented. Said members shall be appointed by the governor with the approval of the council for a term of two years and until their successors are appointed and qualified; provided, however, that the initial appointments hereunder shall be for the

following terms: two members resources oriented and two members development oriented shall have terms of one year, and two members resources oriented and two members development oriented shall have terms of two years. As the terms of initial appointees expire succeeding appointments shall be for terms of two years. Any member may be reappointed with no limitation on the number of terms said member may have. Any vacancy shall be filled for the unexpired term in the same manner as the original appointment. Failure to attend three successive meetings shall be deemed to create a vacancy. Said council shall meet at the call of the commissioner, but not less often than semi-annually and shall advise the commissioner on departmental policy and operation. Council members shall be compensated at the rate of twenty-five dollars for each meeting attended plus actual expenses for the performance of duties. Wherever reference is made to the advisory commission of the department of resources and economic development in any provisions of the statutes, it shall henceforth be construed to mean the advisory council herein established.

Rep. Williamson moved that the words "Refer to Legislative Council" be substituted for the committee report "ought to pass with amendment" and spoke in favor of the motion.

Reps. Shirley Clark, O'Neil, Brummer and Coutermarsh spoke against the motion.

(discussion ensued)

(Rep. O'Neil in the Chair)

Rep. Davis spoke in favor of the motion.

Rep. Williamson spoke a second time in favor of the motion.

(discussion ensued)

The question being that the words "Refer to Legislative Council" be substituted for the committee report "ought to pass with amendment."

Rep. Sears requested a division.

### PARLIAMENTARY INQUIRY

Reps. Coutermarsh and Fortin rose on a point of parliamentary inquiry.

182 members having voted in the affirmative and 103 in the negative the motion carried.

**HB 408**

to establish an outdoor advertising commission and to control the erection and maintenance of billboards and other outdoor advertising devices under its jurisdiction. Inexpedient to legislate; subject matter covered by other legislation. Rep. Trowbridge for Public Works.

At the request of Rep. Wallin, Rep. Trowbridge answered questions.

(discussion ensued)

Resolution adopted by vv.

**HB 414**

relative to taking sand and gravel from the bed of a navigable river or great pond. Ought to pass. Rep. Mann for Public Works.

Ordered to third reading by vv.

**HB 422**

providing services for tourists, regulating outdoor advertising, and making an appropriation therefor. Inexpedient to legislate; subject matter covered by other legislation. Rep. Trowbridge for Public Works.

Resolution adopted by vv.

**HB 443**

extending the moratorium on outdoor advertising on interstate and federal aid highways and establishing an interim committee to study outdoor advertising in New Hampshire and making an appropriation therefor. Inexpedient to legislate; subject matter covered by other legislation. Rep. Trowbridge for Public Works.

Resolution adopted by vv.

The Chair called for HB 278 under Rule 56.

**HB 278**

relative to residence halls, food service and supporting service buildings at the university. Inexpedient to legislate; subject matter covered by other legislation. Rep. Trowbridge for Public Works.

Resolution adopted by vv.

The Chair called for HB 374 under Rule 56.

**HB 374**

establishing a woman's division within the department of labor. Inexpedient to legislate. Rep. Cochrane for Labor, Human Resources and Rehabilitation.

Resolution adopted by vv.

The Chair called for HB 383 under Rule 56.

**HB 383**

to prevent spillage of gravel, sand, and related substances. Inexpedient to legislate. Rep. Trowbridge for Public Works.

At the request of Rep. Bednar, Rep. Trowbridge answered questions.

Resolution adopted by vv.

\* \* \*

Rep. Claflin moved that HB 152, to prohibit the construction or conversion of structure built over the waters of the state for the purpose of dwelling therein, be granted a six day extension under Rule 56 and spoke in favor of the motion.

Motion adopted by vv.

\* \* \*

**RECONSIDERATION**

Rep. Claflin, having voted with the majority, moved that the House reconsider its action whereby HB 335, restructuring the department of resources and economic development, was referred to Legislative Council, and spoke against the motion.

Motion lost by vv.

The Chair called for HB 119 under Rule 56.

**HB 119**

to improve management employee relations in state employment.

The Chair granted a six day extension.

The Chair called for HB 389 under Rule 56.

**HB 389**

relative to the treatment and prevention of alcohol and drug abuse and making appropriations therefor.



The Chair granted a six day extension.

The Chair called for HB 395 under Rule 56.

**HB 395**

relating to certain vocational rehabilitation programs. Ought to pass. Rep. Cochrane for Labor, Human Resources and Rehabilitation.

Referred to Appropriations under the Rules.

The Chair granted a six day extension on HB 401, relative to compulsory school attendance, dual enrollment and transportation of pupils.

\* \* \*

Rep. Murray moved that HB 448, establishing the positions of training officer, communications officer and statistician in the division of vocational rehabilitation and making an appropriation therefor, be made a special order for 11:03 Wednesday next.

Motion adopted by vv.

Rep. Mackintosh moved that HB 462, establishing the committee on legislator orientation, be made a special order for 11:02 Thursday next.

Motion adopted by vv.

Rep. Morrill moved that HB 487, to provide improved highway access to Grenier Field and Greater Manchester Industrial Airpark, be made a special order for 11:01 Thursday next.

Motion adopted by vv.

Rep. Greenwood moved that HJR 43, in favor of Ronald C. Broderick of Franconia, be made a special order for 11:04 tomorrow.

Motion adopted by vv.

\* \* \*

On motion of Rep. Trowbridge the House adjourned from the early session in memory of Paul Lehoullier of Somersworth who was killed in Viet Nam, and the Rules of the House were so far suspended as to permit reading of bills by title only, HJR

by caption only, and that when the House adjourns today it be to meet tomorrow at 11:00 o'clock.

### LATE SESSION

Rep. George Roberts rose on a point of personal privilege.

### THIRD READINGS

The following bills and resolutions were read a third time and passed and sent to the Senate for concurrence:

HB 386, relative to the investment of savings deposits by a bank doing a general business, and abolishing the guaranty fund.

HB 469, licensing insurance claims adjusters.

HB 511, relative to allowing credit and supervisory committee members the same borrowing privileges now available to members of boards of directors of credit unions.

HJR 49, to reimburse Robert E. Cross for loss of his automobile.

HB 537, relative to expenses of extinguishing fires in unincorporated places.

HB 494, legalizing proceedings of Hopkinton School District Meetings held in the Town of Hopkinton on March 12 and 16, 1968 and March 11 and 15, 1969.

SB 99, providing for a ten day season for hunting deer with muzzle-loading, was read a third time, passed and sent to the Secretary of State to be engrossed.

### RECONSIDERATION

Rep. Mackintosh, having voted with the majority, moved that the House reconsider its action whereby it killed HB 519, relative to powers and duties of the presiding officers of the general court and the fiscal committee, and spoke against the motion.

Rep. Newell moved that reconsideration on HB 519 be made a special order of business Tuesday next at 11:01 and spoke in favor of the motion.

Rep. Mackintosh spoke against the motion.

Motion lost by vv.

The question being on motion of Rep. Mackintosh that the House reconsider its action on HB 519.

Motion lost by vv.

### RECONSIDERATION

Rep. Maloomian, having voted with the majority, moved that the House reconsider its action whereby HB 369, to increase the lobbyists registration fee, was ordered to third reading and spoke against the motion.

Motion lost by vv.

### THIRD READINGS CONTINUED

HB 347, relative to taxation of real estate separate from ore, sand, gravel, loam or similar substances.

HB 369, to increase the lobbyists registration fee.

HB 154, relative to abandoned or neglected cemetery lots.

HB 414, relative to taking sand and gravel from the bed of a navigable river or great pond.

On motion of Rep. Greene the House adjourned at 4:22 p.m. in memory of Paul R. Lehoullier of Somersworth who died in action in Viet Nam.

---

*Wednesday, April 9, 1969*

The House met at 11:00 o'clock.

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

Almighty God, Thou who hast been the guardian of our nation through the years of peril, challenge, and prosperity — who dost require of us that we do justly, love mercy, and walk humbly with Thee — help us to live and act according to Thy Will. We, being surrounded by the great cloud of witnesses who have served valiantly in the defense of our Granite State

and of our America, gratefully acknowledge their efforts and sacrifices in our behalf. We would honor the memory of those men and women of faith and courage whose sacrifices are a constant reminder and a continual inspiration to us today as we undertake the responsibilities to preserve freedom's holy light. Bless those who are today standing and dying in the defense of liberty, who are not afraid to be makers of peace, who have not ignored the lessons of history, and desire to build a better world. O Lord, may that better world we seek begin in us today, the living, and be seen in our love for Thee and for our brother man. Amen.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Loxton led the House in the Pledge of Allegiance to the Flag.

### INTRODUCTION OF GUESTS

The Chair announced that veterans of World War I were guests of the House today, courtesy of Rep. Varrill.

Rep. Twardus as a Past Department Commander of World War I addressed the House briefly and moved that Rep. Varrill's remarks be printed in today's Journal.

Motion adopted by vv.

Mr. Speaker and members of the House. It is my privilege today to invite the World War I veterans here as my guests. This is our 52nd anniversary of going into World War I. We are the third largest veterans association recognized by the U. S. Government. Here in our state we have in the vicinity of two thousand veterans and a similar amount in the auxiliary. We spend our time around the hospitals visiting the sick and doing anything we can to help. We are now at the average age of seventy-five. Last year we lost 21,700 by deaths of World War I veterans. So you see, we do not have much time left, so we try to do all that we can. I want to thank them all for coming and to you people for listening.

### LEAVES OF ABSENCE

Reps. Webber and Lavallee were granted leave of absence for the day on account of illness.

Rep. Radway was granted leave of absence for the day on account of important business.

Rep. Lockhart was granted leave of absence for today and tomorrow on account of important business.

\* \* \*

## RECONSIDERATION

Rep. George Roberts, having voted with the majority, served notice that today or some subsequent day he will ask reconsideration of the action whereby HB 374, establishing a woman's division within the department of labor, was reported inexpedient to legislate.

\* \* \*

## RESOLUTION

Rep. McMeekin offered the following resolution:

Resolved, that in accordance with the list in the possession of the clerk, House Bills numbered 667 through 698 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.

## INTRODUCTION OF BILLS

The following bills were read a first and second time, laid on the table for printing and referred as follows:

HB 667, relative to child placing and child caring agencies. (Cochrane of Strafford Dist. 4 — To Labor, Human Resources & Rehabilitation.)

HB 668, providing for the assessment of automobile insurers to meet the claim liabilities of insolvent companies. (Bigelow of Merrimack Dist. 3 — To Banks & Insurance.)

HB 669, relative to dividing the state for two separate deer hunting seasons. (Huggins of Coos Dist. 1, Hunt of Coos Dist. 2 — To Fish & Game.)

HB 670, relative to the holding of annual school district meetings. ( Bednar of Hillsboro Dist. 23 — To Municipal & County Government.)

HB 671, relative to penalties for driving without a valid license. (Sawyer of Rockingham Dist. 7 — To Transportation.)

HB 672, to reclassify a Class V highway in the town of Farmington to a Class II highway, (Canney of Strafford Dist. 2 — To Public Works.)

HB 673, relative to trapping black bear. (Blain of Grafton Dist. 15 — To Fish & Game.)

HB 674, relative to the season for partridge. (O'Neil of Cheshire Dist. 12 — To Fish & Game.)

HB 675, establishing a state boxing commission. (Murphy of Strafford Dist. 18 — To Statutory Revision.)

HB 676, relative to the taking of salmon. (Claflin of Carroll Dist. 7 — To Fish & Game.)

HB 677, providing that educational loans be subject to the small loans statute. (Reddy of Merrimack Dist. 5 — To Education.)

HB 678, relative to the date town and city clerks shall deposit permit monies with the city or town treasury. (Reddy of Merrimack Dist. 5 — To Municipal & County Government.)

HB 679, relating to use of nominees by savings banks. (Reddy of Merrimack Dist. 5 — To Banks & Insurance.)

HB 680, relative to the northern county area industrial agent. (Coutermarsh of Hillsboro Dist. 22 — To Resources, Recreation & Development.)

HB 681, relative to permits for manufacturers of beverages. (Enright of Merrimack Dist. 7 — To Liquor Laws.)

HB 682, prohibiting banking institutions from requiring checking account depositors to pay service charges with respect thereto. (Davis of Carroll Dist. 2 — To Banks & Insurance.)

HB 683, relative to the penalty for killing dogs. (Karnis of Hillsboro Dist. 8 — To Statutory Revision.)



HB 684, relative to sick leave for classified employees. (Angus of Sullivan Dist. 4 — To Labor, Human Resources & Rehabilitation.)

HB 685, relative to the taking time of wild deer. (Maynard of Rockingham Dist. 24 — To Fish & Game.)

HB 686, relative to the issuance of legislative license plates. (Morrill of Rockingham Dist. 7 — To Transportation.)

HB 687, prohibiting the state from acquiring certain land in the town of Winchester for the southwestern state park. (Johnson & Bennett of Cheshire Dist. 9 — To Resources, Recreation & Development.)

HB 688, relative to appeals from decisions by selectmen refusing to grant a veterans property tax exemption. (Sawyer of Hillsboro Dist. 3 — To Claims, Military & Veterans Affairs.)

HB 689, relative to insurance fees and fees from sale of securities. (Johnson of Grafton Dist. 9 — To Ways & Means.)

HB 690, relative to the availability of checklist to the public. (MacDonald of Merrimack Dist. 25 — To Municipal & County Government.)

HB 691, increasing the dept limit of Milford school district. (Ferguson of Hillsboro Dist. 11 — To Municipal & County Government.)

HB 692, relative to driver training schools. (Watson of Hillsboro Dist. 25 — To Transportation.)

HB 693, relating to participation in savings bank mortgages. (Mackintosh of Sullivan Dist. 2 — To Banks & Insurance.)

HB 694, providing for probate court jurisdiction of all domestic matters in litigation. (Nixon of Hillsboro Dist. 5 — To Judiciary.)

HB 695, relating to investments of savings banks in real estate. (Mackintosh of Sullivan Dist. 2 — To Banks & Insurance.)

HB 696, relating to loans by savings banks. (Mackintosh of Sullivan Dist. 2 — To Banks & Insurance.)

HB 697, relating to deposits in savings banks. (Mackintosh of Sullivan Dist. 2 — To Banks & Insurance.)

HB 698, requiring the percent of alcohol contained in malt beverages be listed on the container or label. (Walsh of Hillsboro Dist. 31 — To Liquor Laws.)

### SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following entitled joint resolutions sent up from the House of Representatives:

HJR 37, providing additional appropriation for the tax commission.

HJR 41, providing compensation for seven employees of the racing commission.

### FURTHER SENATE MESSAGE

The Senate has voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendment the Senate asks the concurrence of the House of Representatives:

HB 259, relative to the practice of engineering.

Amend section 1 of the bill by striking out the first three lines and inserting in place thereof the following:

1 Practice of Engineering. Amend RSA 319:13 (c) as amended by 1959, 38:3 by striking out said paragraph and inserting in place thereof the following: (c) A specific record of fifteen years or more of practice in professional

\* \* \*

On motion of Rep. Forbes the House concurred in the Engrossed Bills amendment.

### COMMITTEE REPORTS

#### HB 437

establishing a statewide educational testing program, and making an appropriation therefor. Inexpedient to legislate. Rep. Phil A. Bennett for Education.

Resolution adopted by vv.

**HB 453**

providing for a state-wide educational testing program and making an appropriation therefor. Ought to pass with amendment. Rep. Phil A. Bennett for Education.

**AMENDMENT**

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 New Chapter. Amend RSA by inserting after chapter 186-A (supp) the following new chapter:

**Chapter 186-B****State Educational Testing Program**

186-B:1 Purpose and Intent. It is the purpose and intent of this chapter to provide for a state-wide educational testing program which will periodically measure and assess the ability and performance of individual school children in all communities of the state. This program should be designed to enable teachers and parents to understand a child's performance in relation to his ability, and to assist educators and administrators in planning and improving instructional programs in order to make them more appropriate to the needs of pupils. In addition, this program should be designed to gather statistical and informational data which will enable the legislature and the state board of education to establish a special program of financial assistance to local school districts. That special program shall, if established, be aimed specifically at providing grants to assist school districts in their efforts to strengthen any portion or portions of the local school curriculum and /or teaching identified by the state-wide testing program as needing to be strengthened. Any program of state support established for this purpose shall be apart from all other state support programs. While all reasonable effort shall be made by both state and local personnel to increase the quality of each local program of instruction, eligibility for state funds to be distributed under any other state support program shall not be based on or related to the results of the state-wide testing program.

186-B:2 Establishment of Testing Program. The state department of education shall annually conduct a testing program for students at appropriate grade levels in all school districts of the state and shall adopt rules and regulations governing the

administration of said testing program. Emphasis shall be placed on testing in the early elementary school years. The testing programs to be administered through BERTS, UNH, or through some other state operated agency with equivalent capabilities shall assess the general scholastic ability of students, their development of basic skills, and their level of achievement in the content courses appropriate to the grade being tested. The cost of the testing materials, the collecting and scoring of tests and the interpretation of results shall be borne by the program at no expense, except postage, to the local school districts.

186-B:3 Administering, Scoring and Reporting of Tests. School personnel under the direction of the district superintendent of schools shall administer the tests in accordance with regulations as issued by the department of education. Determination of scoring and reporting procedures shall be made by the department of education provided that nothing in this chapter shall be construed to mean that test scores of individual pupils may be released contrary to the provisions of RSA 91-A.

186-B:4 Biennial Report. The state department of education in cooperation with the contracting agency shall prepare and submit a biennial report to the state board of education and to the legislature . This report shall include a statistical analysis of test results and an evaluation of the findings. In addition this report shall include any recommendations, including those proposing legislation, that the contracting agency deems necessary to achieve the goals of quality education, and especially those recommendations concerning an optimum program of state financial aid to local school districts.

2 Appropriation. To the extent that federal funds are not available there is hereby appropriated for the purposes of this act the sum of two hundred and twenty-five thousand dollars for the biennium ending June 30, 1971. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

3 Effective Date. This act shall take effect July 1, 1969.

\* \* \*

At the request of Rep. Merrill, Rep. Phil Bennett answered questions.

(discussion ensued)

Amendment adopted by vv. Referred to Appropriations under the Rules.

**HB 559**

relative to compensating certain employees of the racing commission. Inexpedient to legislate. Rep. Watson for Executive Departments and Administration.

Resolution adopted by vv.

**HB 507**

providing that no rifle be used in the hunting of deer unless it is equipped with a telescopic sight. Inexpedient to legislate. Rep. Huggins for Fish and Game.

Rep. Nourie moved that HB 507 be laid on the table, and subsequently withdrew his motion.

Resolution adopted by vv.

**HB 534**

relative to hunting on islands by certain disabled persons. Ought to pass with amendment. Rep. Huggins for Fish and Game.

### AMENDMENT

Amend section 1 of the bill by inserting after the word "number" in line fifteen the words (and physical condition) so that said section as amended shall read:

1 Amputee. Amend RSA 208:6-a as inserted by 1963, 315:2 by striking out in line four the word "double" so that said section as amended shall read as follows: 208:6-a Hunting on Islands by Certain Disabled Persons. Notwithstanding those provisions of section 2 of this chapter which relate to the taking of deer upon islands, the director may designate one or more islands upon which deer may be taken by paraplegics, amputees, and other non-ambulatory persons, in accordance with this section. An eligible person desiring to take advantage of this section, and who is properly licensed under the provisions of this title to take deer, shall apply to the director at least fifteen days before the beginning of the open season for deer as prescribed in said section 2 in the area in which he desires to hunt. Upon receipt of such applications, the director shall make such provisions as, in his discretion, he shall as fully as possible effectuate the purpose hereof, having regard to the deer population on

said designated islands and the number and physical condition of persons desiring to hunt thereon. He may allocate sections or portions of any such island to designated applications for specific dates, which dates shall be during the open season for taking deer; and he may revoke permits theretofore granted when deer population in any location shall have been reduced to desired limits. The director may make rules or regulations governing the conduct of persons accompanying or assisting eligibles. Permission granted hereunder shall be evidenced by a permit in a form prescribed and issued by the director.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

**HB 502**

adopting the uniform act on paternity. Refer to Judicial Council. Rep. Record for Judiciary.

Resolution adopted by vv.

**HB 533**

making planning and zoning boards mandatory for towns and cities whose population exceeds two thousand. Refer to Legislative Council. Rep. Brown for Municipal and County Government.

At the request of Rep. Mackintosh, Rep. Stuart Allan answered questions.

(discussion ensued)

Rep. Brungot moved that HB 533 be indefinitely postponed.

Rep. Griffin spoke against the motion.

Rep. Brungot withdrew her motion.

Resolution adopted by vv.

**HB 441**

to regulate the practice of land surveying. Ought to pass with amendment. Rep. Trowbridge for Public Works.

**AMENDMENT**

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:



1 New Chapter. Amend RSA by inserting after chapter 319 the following new chapter:

Chapter 319-A  
Land Surveying

319-A:1 General Provisions.

I. In order to safeguard property and to promote the public welfare, the practice of land surveying in this state is hereby declared to be subject to regulation in the public interest.

II. It shall be unlawful for any person to practice or offer to practice land surveying in this state, as defined in the provisions of this chapter or to use in connection with his name, or otherwise assume, or advertise any title or description tending to convey the impression that he is a land surveyor, unless such person has been duly registered under the provision of this chapter. Admission to practice land surveying shall be determined upon the basis of individual personal qualification.

319-A:2 Definitions. As used herein the following terms shall be construed as follows:

I. The term "Board" as used in this chapter shall mean the New Hampshire state board of registration for land surveyors provided for herein.

II. A "Land Surveyor" is a professional specialist in the technique of measuring land, educated in the basic principles of mathematics, the related physical and applied sciences, and the relevant requirements of law for adequate evidence and all requisite to the surveying of real property and engaged in the practice of land surveying as herein defined.

III. The term "land surveyor in-training" shall mean a candidate for registration as a land surveyor who, prior to completion of the requisite years of experience in surveying work provided in section 13 hereof, has met the preliminary requirements for registration as a land surveyor, and has been issued a certificate by the board stating that he is a land surveyor in-training.

IV. The term "Land Surveying" within the intent of this chapter, shall mean any service or work, the adequate performance of which involves the application of special knowledge of the principles of mathematics, the related physical and ap-

plied sciences, and the relevant requirements of law for adequate evidence to the act of measuring and locating lines, angles, elevations, natural and man-made features in the air, on the surface of the earth, within underground workings, and on the beds of bodies of water for the purpose of determining areas and volumes, for the monumenting of property boundaries, and for the platting and layout of lands and subdivisions thereof, including the topography, alignment and grades of streets, and for the preparation and perpetuation of maps, record plats, and field note records that represent these surveys.

V. Nothing in this chapter shall be construed to give to a land surveyor the right to perform engineering design or other elements of the practice of professional engineering as defined in RSA 319:2 III.

319-A:3 Board; Appointments; Terms. A state board of registration for land surveyors is hereby created whose duty it shall be to administer the provisions of this chapter. The board shall consist of five land surveyors, of whom two shall also be foresters, who shall be appointed by the governor with the advice and consent of the council. Each member shall hold office for a term of five years from the date of appointment or until a successor shall have been duly appointed and shall have qualified. Initial appointments shall be for terms of one, two, three, four, and five years, respectively.

319-A:4 — Qualifications of Members. Each member of the board shall be a citizen of the United States and a resident of this state, and shall have been engaged in the practice of land surveying for at least twelve years, and shall have been in responsible charge of important surveying work for at least five years. The teaching and or surveying may be construed as responsible charge of important surveying work.

319-A:5 — Compensation and Expenses. Members of the board shall receive twenty-five dollars for each day actually engaged in the duties of the office, and shall be reimbursed for all actual traveling, incidental and clerical expenses necessarily incurred in carrying out the provisions of this chapter.

319-A:6 — Removal of Members; Vacancies. The governor and council may remove any member of the board for misconduct, incompetency, neglect of duty, or for any other sufficient cause. Vacancies in the membership of the board shall be filled

for the unexpired term by appointment by the governor and council as provided in section 3.

319-A:7 — Organization and Meetings. The board shall hold at least four regular meetings each year. Special meetings shall be held at such times as the rules of the board may provide. Notice of all meetings shall be given in such a manner as the rules may provide. The board shall elect or appoint the following officers: A chairman, vice-chairman and secretary. Said secretary may or may not be a member of the board. A quorum of the board shall consist of not less than three members.

319-A:8 — Powers and Duties. The board shall have the power to adopt and amend all rules of procedures, not inconsistent with the constitution and laws of this state, which reasonably may be necessary for the proper performance of its duties and the regulations of the proceedings before it. The board shall adopt and have an official seal. The board may subpoena witnesses and compel their attendance, and also may require the production of books, papers and documents in a case involving the revocation of registration. Any member of the board may administer oaths or affirmations to witnesses appearing before the board. Any person failing or refusing to obey the subpoena or order of the board may be proceeded against in the same manner as for refusal to obey any other subpoena.

319-A:9 — Receipts and Disbursements. The secretary of the board shall receive and account for all monies derived under the provisions of this chapter, and shall pay the same to the state treasurer, who shall keep such monies in a separate fund to be known as the "Land Surveyors' Fund". Such fund shall be kept separate and apart from all other monies in the treasury, and shall be paid out only for the purposes hereof. All monies in the fund are hereby specifically appropriated for the use of the board. The secretary of the board shall receive such salary as the board shall determine in addition to the expenses provided herein. The board may employ such clerical or other assistants as are necessary for the proper performance of its work, and may make expenditures for any purpose which reasonably, in the opinion of the board, are necessary for the proper performance of its duties under this chapter. With the exception of the first year of operation, the total amount of

payments made hereunder shall not exceed the amount of the fees collected hereunder.

319-A:10 — Records and Reports. The board shall keep a record of its proceedings and a register of all applicants for registration which register shall show: (a) the name, age, and residence of each applicant; (b) the date of the application; (c) the place of business of each applicant; (d) his educational and other qualifications; (e) whether or not an examination was required; (f) whether the applicant was rejected; (g) whether a certificate of registration was granted; (h) the date of the action of the board; and (i) such other information as may be deemed necessary by the board. The records of the board shall be prima facie evidence of the proceedings of the board set forth therein, and a transcript thereof duly certified under seal by the secretary of the board, shall be admissible in evidence with the same force and effect as if the original were produced. Biannually, as of June thirtieth, the board shall submit to the governor, not later than the following July thirty first, a report of its transactions of the preceding biennium, and also to transmit to him a complete statement of the receipts and expenditures of the board. The first such report shall be due in the year 1971.

319-A:11 — Form of Report. Said biennial report shall be in such form as may be prescribed by the secretary of state.

319-A:12 Roster. A biennial roster as of June thirtieth in the year of the biennial report provided for herein, listing the names, registration number, and addresses of all registered land surveyors, shall be published by the secretary of the board during the next following month of September, commencing in September, 1969. As of June thirtieth of the year following each biennial report, a supplement shall be mailed to each person so registered, placed on file with the secretary of state and furnished to the public on request and payment of a reasonable charge in an amount determined by the board.

319-A:13 General Requirements for Registration as Land Surveyors. The following shall be considered as minimum evidence satisfactory to the board that the applicant is qualified for registration as a land surveyor:

I. A specific record of six years or more of accumulated experience in land surveying work indicating that the appli-

cant is competent to practice land surveying and the passing by the applicant of a written and/or oral examination prescribed by the board; or

II. A specific record of ten years or more of accumulated experience in land surveying work of a character satisfactory to the board and provided applicant is not less than thirty years of age, and provided that in a case where the evidence presented in the application does not appear to the board conclusive nor warranting the issuance of a certificate of registration, the applicant may also be required to pass an oral or written examination, or both, as the board may determine.

III. A year of accumulated experience for purposes of sections I and II above shall include, but not be limited to, the following:

(a) Any year during which the applicant was enrolled at an institution of higher learning pursuing a curriculum of surveying, engineering, forestry, or forestry technician, so long as the applicant completed at least one course in land surveying during the said enrollment; provided such education credits towards accumulated experience shall not exceed four years of accumulated experience; and/or

(b) Any year during which the applicant was actively engaged in land surveying work as a land surveyor-in-training under the supervision of a registered land surveyor; and/or

(c) Any substantial period of time (even if less than a full calendar year) during which the applicant, in the discretion of the board, was considered to be actively engaged in responsible land surveying work.

IV. An applicant for registration as a land surveyor who is a resident of a state, country, or territory where registration is prerequisite to the legal practice of land surveying, shall be registered in such state, country or territory prior to being eligible for registration as a land surveyor under this chapter.

319-A:14 Registration of Present Practitioners. Any person eligible for registration, who within one year after the effective date of this chapter, files with his application for registration as a land surveyor his affidavit stating that he was actively engaged in the practice of land surveying in this state for three years total prior to the effective date of this chapter, and in-



cludes in the affidavit the names and addresses of five references of whom three shall be land surveyors or registered professional engineers having personal knowledge of his land surveying experience, shall be eligible for registration as a land surveyor without written examination, and may be registered by the board providing the references are satisfactory. This section shall expire and be of no effect on and after one year next following the effective date of this chapter.

319-A:15 Character. No person shall be eligible for registration as a land surveyor who is not of good character and reputation.

319-A:16 Qualification as a surveyor-in-training. As a surveyor-in-training the following shall be considered a minimum evidence that the applicant is qualified as a surveyor-in-training:

I. Experience and Examination. A person who has passed the board's written examination in fundamentals of land surveying shall be certified, or enrolled, as a land surveyor-in-training.

319-A:17 Applications and Registration Fees. Applications for registration shall be on forms prescribed and furnished by the board, shall contain statements made under oath, showing the applicant's education and detailed summary of his technical work, and shall contain not less than five references, of whom three shall be land surveyors or registered professional engineers having personal knowledge of his land surveying experience. The registration fee for land surveyors shall be thirty dollars, fifteen dollars of which shall accompany the application, the remaining fifteen dollars to be paid prior to the issuance of a certificate. Should the board deny the issuance of a certificate of registration to an applicant, the initial fee deposited shall be retained as an application fee. Applications for registration as a land surveyor-in-training shall be made on forms prescribed and furnished by the board and shall be accompanied by an application fee of ten dollars to cover the cost of the examination.

319-A:18 Examinations. When oral or written examinations for land surveyors are required, they shall be held at such time and place as the board shall determine. The scope of the examination and the method of procedure shall be prescribed



by the board. A candidate failing an examination may apply for re-examination at the expiration of six months and will be re-examined without payment of additional fee. Subsequent examination will be granted upon payment of a fee to be determined by the board. The board upon application and payment of fee shall provide a written examination for land surveyor-in-training to any applicant within a reasonable period of time. Such examination shall be limited to the fundamentals of land surveying as normally taught in standard courses.

319-A:19 Certificates; Seals. The board shall issue a certificate of registration upon payment of registration fee as provided herein, to any applicant who, in the opinion of the board, has satisfactorily met all the requirements hereof. This certificate shall authorize the practice of land surveying. The issuance of a certificate of registration by this board shall be prima facie evidence that the person named therein is entitled to all the rights and privileges of a registered land surveyor, while the said certificate remains unrevoked or unexpired. Each registrant hereunder shall upon registration obtain a seal of the design authorized by the board, bearing the registrant's name and the legend "Registered Land Surveyor". Plans, plats, and reports prepared by a registrant shall be stamped with said seal during the life of the registrant's certificate, but it shall be unlawful for any one to stamp or seal any document with said seal after the certificate of the registrant named thereon has expired or has been revoked, unless said certificate shall have been renewed or reissued. Upon successful passage of the examination for land surveyor-in-training, the board shall issue a certificate therefor which shall be valid for six years.

319-A:20 Expirations and Renewals. Certificates of registration shall expire on the last day of the month of December following their issuance or renewal and shall become invalid on that date unless renewed. It shall be the duty of the secretary of the board to notify every person registered hereunder, of the date of the expiration of his certificate and the amount of the fee that shall be required for its renewal for one year; such notice shall be mailed at least one month in advance of the date of the expiration of said certificate. Renewal may be effected at any time during the month of December by the payments of a fee of not less than four dollars nor more than ten dollars as determined by the board. The failure on the part of any registrant to renew his certificate annually in the month

of December as required above shall not deprive such person of the right of renewal but the fee to be paid for the renewal of a certificate after the month of December and before the first day of May of the following year shall be one and one half times the normal renewal fee, and on and after the first day of May the fee to be paid shall be twice the normal renewal fee. The right of renewal shall be limited to a period of two years from the date of expiration of the certificate. After this period the certificate of a former registrant shall become null and void, but may be reinstated by the board after reapplication, payment of a fee of thirty dollars and after approval of the board. The board at its discretion may re-examine said former registrant.

319-A:21 Interstate Registration. The board may, upon application therefor, and payment of a fee of thirty dollars, issue a certificate of registration as a registered land surveyor to any person of any state or territory or possession of the United States, or of any country provided that the applicant's qualifications meet the requirements hereof and the rules established by the board.

319-A:22 Revocation of Certificates. The board shall have the power to revoke, suspend or annul the certificate of registration of any registrant who is found guilty of: (a) The practice of any fraud or deceit in obtaining a certificate of registration; (b) any gross negligence, incompetency, or misconduct in the practice of land surveying as a registered land surveyor. Any person may prefer charges of fraud, deceit, gross negligence, incompetency, or misconduct against any registrant. Such charges shall be in writing, shall be sworn to by the person making them and shall be filed with the secretary of the board. All charges, unless dismissed by the board as unfounded or trivial, shall be heard by the board within three months after the date on which they shall have been preferred. The time and place for said hearing shall be fixed by the board, and a copy of the charges, together with a notice of the time and place of hearing, shall be served personally on or mailed to the last known address of such registrant, at least thirty days before the date fixed for the hearing. At any hearing, the accused registrant shall have the right to appear personally and by counsel, to cross-examine witnesses appearing against him, and to produce evidence and witnesses in his own defense. If, after such hear-

ing, three or more members of the board vote in favor of finding the accused guilty, the board shall revoke, suspend or annul the certificate of registration of such registered land surveyor.

319-A:23 Reissuance of Certificates. The board, for reasons it may deem sufficient, may reissue a certificate of registration to any person whose certificate has been revoked, providing three or more members of the board vote in favor of such reissuance. A new certificate of registration, to replace any certificate revoked, lost, destroyed or mutilated, may be issued, subject to the rules of the board, and a charge of three dollars shall be made for such issuance.

319-A:24 Violations and Penalties. Any person who shall practice or offer to practice land surveying in this state for others without being registered in accordance with the provisions of this chapter, or any person presenting or attempting to use as his own the certificate of registration or the seal of another, or any person who shall give any false or forged evidence of any kind to the board or to any member thereof in obtaining or attempting to obtain a certificate of registration, or any person who shall falsely impersonate any other registrant of like or different name, or any person who shall attempt to use an expired or nonexistent or revoked certificate of registration or authorization, or any person who shall violate any of the provisions of this chapter, shall be guilty of a misdemeanor, and shall, upon conviction, be sentenced to pay a fine of not less than one hundred dollars nor more than five hundred dollars. It shall be the duty of all duly constituted officers of the state and all political subdivisions thereof to enforce the provisions of this chapter and to prosecute any person violating same.

319-A:25 Restraint of Violations. The superior court shall have jurisdiction in equity to restrain violations of section 24 of this chapter on proceedings brought by the attorney general or by any society of registered land surveyors incorporated under the laws of this state.

319-A:26 Exemptions. This chapter shall not be construed to prevent or to affect:

I. The practice of a person not a resident of and having no established place of business in this state, practicing herein, or elsewhere, the profession of surveying in connection with, or on account of, surveying work or construction being carried on,

or to be carried on, in this state when such practice, wherever performed, does not exceed in the aggregate more than fifteen working days in any calendar year; provided such person is legally qualified by registration to practice the said profession in his own state or country in which the requirements and qualifications for obtaining a certificate of registration are not lower than those specified in this chapter. Practice for any portion of a day shall be deemed to be performed for a whole day.

II. The work of an employee or a subordinate of a person holding a certificate of registration under this chapter, or an employee of a person practicing lawfully under paragraph I of this section; and is done under the direct responsibility, checking, and supervision of a person holding a certificate of registration under this chapter or a person practicing lawfully under paragraph I of this section; or

III. The practice of officers and employees of the government of the United States and of the state of New Hampshire while engaged within this state in the practice of land surveying, for said agencies.

IV. The practice of surveying principles necessary in carrying out forest management practices, including the remarking of established boundaries or the establishment of new interior boundaries of a forest property, but not to include the establishment of boundaries common to another owner where the corners or boundary is unknown.

319-A:27 Review of Orders. Orders of the board shall be subject to rehearing and appeal in the manner prescribed by RSA 541 and any amendments thereto.

319-A:28 Invalid Sections. If any section or sections of this chapter shall be declared unconstitutional or invalid, this shall not invalidate any other sections of this chapter.

2 Appropriation. There is hereby appropriated the sum of thirty-five hundred dollars for the board of registration of land surveyors for the fiscal year ending June 30, 1970 and a like sum is hereby appropriated for the same purpose for the fiscal year ending June 30, 1971. The governor is authorized to draw his warrant for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

3 Effective Date. The provisions of RSA 319-A:1, II, RSA 319-A:19 and RSA 319-A:24 shall take effect July 1, 1970; all other provisions of this act shall take effect on July 1, 1969.

\* \* \*

At the request of Rep. Merrill, Rep. Trowbridge explained the committee amendment.

(discussion ensued)

Amendment adopted by vv. Referred to Appropriations under the Rules.

The Chair called for the special order on HB 224, providing for the classification of Lake Sunapee, and explained that HB 224 was made a special order because no report was made, but was reported in later and therefore comes up under the regular calendar in the Journal.

#### HB 224

providing for the classification of Lake Sunapee. Ought to pass with amendment. Rep. Claffin for Resources, Recreation and Development.

#### AMENDMENT

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Effective Date. This act shall take effect January 1, 1972.

\* \* \*

The question being on the amendment as offered by the committee.

Amendment adopted by vv.

Rep. Raymond offered the following amendment.

#### AMENDMENT

Amend section 2 of the bill by striking out the same and inserting in place thereof the following new sections:

2 Appropriation. Sixty thousand dollars is hereby appropriated solely for the use of rebuilding sewage disposal at Mount Sunapee State Park to eliminate present discharge of sewage



and/or effluent into Lake Sunapee tributaries or waters as is now done. The governor is hereby authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

3 Effective Date. This act shall take effect January 1, 1972.

\* \* \*

The Clerk read the amendment in full.

The Chair gave an interpretation of the Rules and read Rule 57 and ruled that amendments adding appropriations to bills without appropriations can lay after April 1st because the Rule is silent on amendments. Amendments can be added under other Rules without regard to whether or not they contain an appropriation. The Chair stated that the amendment was in order.

\* \* \*

The Chair announced that 1000 bills and resolutions have been introduced in the House and Senate from Legislative Services as of today.

Rep. Raymond explained his amendment.

Reps. Claflin and Kopperl spoke against the amendment.

(discussion ensued)

Rep. Bowles spoke in favor of Rep. Raymond's amendment.

Rep. Sherman spoke against Rep. Raymond's amendment.

(discussion ensued)

### PARLIAMENTARY INQUIRY

Rep. deBlois rose on a point of parliamentary inquiry.

The Chair stated that he had already checked with legal counsel and it is in order to appropriate money to spend in 1972, however the 1971 Legislature has a right to adopt or reject a bill from this session depending upon the decision of the the 1971 Legislature.

Rep. Maloomian moved the previous question and it was sufficiently seconded.



The question being, shall the main question now be put.

Motion adopted by vv.

The question now being on the amendment offered by Rep. Raymond.

Amendment lost by vv.

Rep. Raymond requested a division.

The vote being manifestly in the negative the Raymond amendment lost.

### PARLIAMENTARY INQUIRY

Rep. Bowles rose on a point of parliamentary inquiry.

The question being shall HB 224 be ordered to a third reading.

Ordered to third reading by vv.

### HJR 59

providing for a study of the economic potentials and development problems of Mount Sunapee state park. Ought to pass. Rep. Clafin for Resources, Recreation and Development.

Ordered to third reading by vv.

The Chair called for the special order on HB 435.

### HB 435

providing that in four of the retirement systems the beneficiary of a member who dies while in service and who was over retirement age may elect to be paid certain benefits other than the return of the members contributions, and making an appropriation therefor.

The Chair stated that HB 435 carried an appropriation and was ordered out of committee April 1 under Rule 57 and was placed on the calendar for a day last week, and the committee had asked for an extension of 6 days.

Rep. Shirley Clark moved that HB 435 be reported "ought to pass with amendment" and be referred to Appropriations and further explained the bill.

The Clerk read the amendment in full.

## AMENDMENT

Amend the title of said bill by striking out the words "and making an appropriation therefor" so that said title as amended shall read as follows:

## AN ACT

providing that in four of the retirement systems the beneficiary of a member who dies while in service and who was over retirement age may elect to be paid certain benefits other than the return of the members contributions.

Amend said bill by striking out section 11 and inserting in place thereof the following:

11 Payment for Benefits. In order to provide the additional funds necessary to meet the additional benefits provided by this act, the board of trustees of the New Hampshire retirement system is hereby directed to increase the contribution made by each member of the retirement systems by an amount equal to one half of one percent of the payroll for said member. The state or other employer shall not be required to make any contributions for said additional benefits.

Motion adopted by vv.

The Chair referred HB 435 to Appropriations under the Rules.

## RECONSIDERATION

Rep. MacKenzie, having voted with the majority, served notice that today or some subsequent day he would ask for reconsideration of HB 392, increasing the tax upon the sale of motor fuel.

## RECONSIDERATION

Rep. George Roberts, having voted with the majority, moved that the House reconsider its action whereby HB 436, providing for year-round inspections of motor vehicles and making an appropriation therefor, was referred to Legislative Council and spoke in favor of the motion.

Rep. Morrill spoke in favor of the motion.

Rep. Reddy spoke in favor of the motion and explained the bill.

(discussion ensued)

Rep. Wilfrid Thompson spoke in favor of the motion.

Rep. Wilfred Boisvert moved the previous question and it was sufficiently seconded.

The question being, shall the main question now be put.

Motion adopted by vv.

The question now being on reconsideration of HB 436.

Rep. Bednar requested a division.

### PARLIAMENTARY INQUIRY

Rep. Bednar, A. George Manning and George Roberts rose on a point of parliamentary inquiry.

151 members having voted in the affirmative and 117 in the negative reconsideration was adopted.

The question now being on the committee amendment.

Amendment adopted by vv. Referred to Appropriations under the Rules.

The Chair called for the special order for 11:03 on HB 448.

#### HB 448

establishing the positions of training officer, communications officer and statistician in the division of vocational rehabilitation and making an appropriation therefor. Ought to pass with amendment. Rep. Cochrane for Labor, Human Resources and Rehabilitation.

### AMENDMENT

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Training Officer and Stenographer II. The position of a training officer, labor grade 22 and a clerk stenographer II are hereby created to work under the direction of the chief in the division of vocational rehabilitation in the department of education in order to effect efficient internal and external operations in said department.

2 Communications Officer and Clerk Stenographer II. The position of communications officer, labor grade 19, shall be appointed under the provisions of RSA 186:7 by the state board of education. The position of one clerk stenographer II is hereby created to work under the direction of the chief in the division of vocational rehabilitation in the department of education in order to effect efficient internal and external operations in said department.

3 Statistician II. The position of statistician II is hereby created to work under the direction of the chief in the division of vocational rehabilitation in the department of education in order to effect efficient internal and external operations in said department.

4 Appropriation. The sum of seventeen thousand eight hundred forty-nine dollars is appropriated for the fiscal year ending June 30, 1971 to be for the purposes of section 1 of this bill. These sums are itemized as follows:

Personnel Services	
Training Officer	\$7,895.00
Steno II	3,969.00
	<hr/>
Total	\$11,864.00
Current Expenses	2,200.00
Travel	
In-State	\$1,000.00
Out-of-state	500.00
	<hr/>
Total	1,500.00
Equipment	1,200.00
Other Expenditures	
OASI, retirement, blue cross, etc.	1,085.00
	<hr/>
Total Appropriation	\$17,849.00
Less Estimated Federal Funds	14,279.00
	<hr/>
Net Appropriation	\$ 3,570.00

The amount of this appropriation is based on anticipated federal grants of fourteen thousand two hundred seventy-nine dollars. In the event that federal support is less than fourteen thousand two hundred seventy-nine dollars, the amount of the

state appropriation shall be reduced proportionately. If because of such reduction the total appropriation is less than seventeen thousand eight hundred forty-nine dollars for the fiscal year ending June 30, 1971 then the commissioner of education, with the approval of the governor and council shall allot such lesser amounts in whatever manner best achieves the purposes of this act and the purposes of RSA 186:7.

5 Appropriation. The sum of twenty thousand, four hundred and fourteen dollars is appropriated for the fiscal year ending June 30, 1971 to be used for the purposes of section 2 of this bill. These sums are itemized as follows:

Personnel Services

Communications Officer	\$6,900.00
Clerk Steno II	3,969.00

Total	\$10,869.00
-------	-------------

Current Expenses	5,500.00
------------------	----------

Travel

In-State	1,500.00
Out-of-State	500.00

Total	\$ 2,000.00
-------	-------------

Equipment	1,200.00
-----------	----------

Other Expenditures

OASI, retirement, blue cross, etc.	905.00
------------------------------------	--------

Total Appropriation	\$20,474.00
---------------------	-------------

Less Estimated Federal Funds	16,380.00
------------------------------	-----------

Net Appropriation	\$ 4,094.00
-------------------	-------------

The amount of this appropriation is based on anticipated federal grants of sixteen thousand three hundred eighty dollars. In the event that the federal support is less than sixteen thousand three hundred eighty dollars, the amount of the state appropriation shall be reduced proportionately. If the total appropriation is less than twenty thousand four hundred seventy-four dollars for the fiscal year ending June 30, 1971 then the commissioner of education, with the approval of the governor and council shall allot such lesser amounts in whatever manner best achieves the purposes of this act and the purposes of RSA 186:7.

6 Appropriation. The sum of ten thousand two hundred and thirty-five dollars is appropriated for the fiscal year ending June 30, 1971 to be used for the purposes of section 4 of this bill. These sums are itemized as follows:

Personnel Services	
Statistician II (L.G. 15)	\$ 5,669.00
Current Expenses	1,500.00
Travel	
In-State	\$ 300.00
Out-of-State	500.00
	<hr/>
Total	800.00
Equipment	1,700.00
Other Expenses	
OASI, blue cross, retirement, etc.	566.00
	<hr/>
Total Appropriation	\$10,235.00
Less Estimated Federal Funds	8,188.00
	<hr/>
Net Appropriation	\$ 2,047.00

The amount of this appropriation is based on anticipated federal grants of eight thousand one hundred and eighty-eight dollars. In the event that federal support is less than eight thousand one hundred and eighty-eight dollars, the amount of the state appropriation shall be reduced proportionately. If because of such reduction the total appropriation is less than ten thousand two hundred and thirty-five dollars for the fiscal year ending June 30, 1971 then the commissioner of education, with the approval of the governor and council shall allot such lesser amounts in whatever manner best achieves the purposes of this act and the purposes of RSA 186:7.

7 Effective Date. This act shall take effect July 1, 1970.

\*       \*       \*

The question being on the committee amendment.

Amendment adopted by vv. Referred to Appropriations under the Rules.

The Chair called for the special order at 11:04 on HJR 43.



**HJR 43**

in favor of Ronald C. Broderick of Franconia. Ought to pass with amendment. Rep. Greenwood for Claims, Military and Veterans Affairs.

**AMENDMENT**

Amend the resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of one thousand, eight hundred, and seventy-two dollars is hereby appropriated for each fiscal year until the death of Ronald C. Broderick of Franconia or until he reaches the age of sixty-five whichever occurs first, for medical expenses and other losses incurred as a result of bodily injuries sustained by him in the fall of a car from the Cannon Mountain aerial tramway in Franconia Notch in March 1963 while in the performance of his duties as an employee of the state. The sums hereby appropriated shall be in addition to any other sums previously paid by the state and constitute full and final payment and settlement of any claim Mr. Broderick may have against the state of New Hampshire; provided, however, said payment shall not preclude payment of any future benefits to which he may be entitled under the workmen's compensation laws. The sums hereby appropriated shall be paid to Mr. Broderick in weekly installments of thirty-six dollars each. The governor is authorized to draw his warrant for said sum from any money in the treasury not otherwise appropriated.

Effective Date. Takes effect on passage.

\* \* \*

The Clerk read the amendment in full.

Rep. Greenwood explained the amendment.

Rep. O'Neil moved that HJR 43 be laid on the table.

Motion adopted by vv.

Rep. Greene moved that HB 529, providing means for settlement of disputes between public employees and local governments, school districts or other political subdivisions; HB 460, establishing certain rights of public school teachers, prohibiting certain practices which are inimical to the welfare of the public schools, and providing for the orderly and peaceful resolution of disputes between public school teachers and school

boards; and HB 466, relative to teacher-public relations, be made a special order for 11:01 Wednesday, April 30th.

Motion adopted by vv.

### SENATE MESSAGE, INTRODUCTION OF SENATE BILLS AND REFERRAL

The Senate has passed the following entitled bills in the passage of which it asks the concurrence of the House of Representatives:

The following Senate Bills were read a first and second time and referred as follows:

SB 87, relative to terms of superior court for Hillsborough County. Judiciary.

SB 170, relative to the appropriation for the Nashua Vocational Institute. Appropriations.

### PERSONAL PRIVILEGE

Rep. Cares rose to thank the Chair for allowing him to preside over the session yesterday and the courtesy extended to him by the Representatives.

\* \* \*

Rep. O'Neil moved that the Rules of the House be so far suspended as to dispense with referral to committee, public hearing and two days' notice in the Journal on SB 170, relative to the appropriation for the Nashua Vocational Institute, and that it be put on third reading and final passage at the present time and spoke in favor of the motion.

(discussion ensued)

The Clerk read the bill in full.

Motion adopted by vv.

### THIRD READING

SB 170, relative to appropriation for the Nashua Vocational Institute, was read a third time, passed, and sent to the Secretary of State to be engrossed.

On motion of Rep. O'Neil the House adjourned from the early session in honor of Rep. Underhill, Chairman of Agriculture who is celebrating his birthday and 50th wedding anniversary today, and that the Rules of the House be so far suspended as to permit the reading of bills by titles only, HJR by captions only, and that when the House adjourns today it be to meet tomorrow at 11:00 o'clock.

### LATE SESSION THIRD READINGS

The following bills and resolutions were read a third time and passed and sent to the Senate for concurrence:

HB 534, relative to hunting on islands by certain disabled persons.

HB 224, providing for the classification of Lake Sunapee.

### RECONSIDERATION

Rep. Claflin, having voted with the majority, moved that the House reconsider its action whereby it passed HB 224, providing for the classification of Lake Sunapee, and spoke against the motion.

Motion lost by vv.

### THIRD READINGS CONTINUED

HJR 59, providing for a study of the economic potentials and development problems of Mount Sunapee state park.

\* \* \*

On motion of Rep. James Allen the House adjourned at 1:56 P.M. in honor of Rep. Underhill, Chairman of Agriculture who is celebrating his birthday and 50th Wedding Anniversary today.

*Thursday, April 10, 1969*

The House met at 11:00 o'clock.

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

"Acquaint now thyself with God, and be at peace; thereby shall good come unto thee. Yea, the Almighty shall be thy defence. For then shalt thou have thy delight in the Almighty, and shalt lift up thy face unto God." (Job 22:21, 25, 26)

We lift up our faces unto Thee, O GOD, that they may be enlightened. We lift up our eyes that we may see visions and dream dreams. We lift up our minds that we may know truth, that the Truth may set us free. We lift up our hands that they may be full of charity. We lift up our hearts that they may become loving. We lift up our wills that they may follow out Thy purposes in obedience. We lift up our lives that they may receive abundance and be abounding. We lift up our souls that they may receive eternal life. All that we are we lift up unto Thee that we may give Thee glory and honor. All that we have we lay at Thy feet, O GOD; send us into the world to be Thy messengers, empowered by Thy Divine Presence. Amen.

#### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Levasseur led the House in the Pledge of Allegiance to the Flag.

#### INTRODUCTION OF GUESTS

The Chair introduced Mrs. Lara Waters, National President of the V.F.W. Auxiliary from the State of Washington who was escorted to the podium by Rep. Donald Welch. Mrs. Waters addressed the House.

A group of seniors from St. Marie's High School, Manchester, courtesy of the Manchester Delegation.

#### LEAVES OF ABSENCE

Reps. Stafford and deBlois were granted leave of absence for the day on account of illness.

Rep. Clement was granted indefinite leave of absence on account of illness.

Reps. Underwood, Van Loan and Goode were granted leaves of absence for the day on account of important business.

Rep. Dunham was granted leave of absence for today and next week on account of important business.

\* \* \*

Rep. MacKenzie withdrew his motion of reconsideration on HB 392, increasing the tax upon the sale of motor fuel.

### RESOLUTION

Rep. McMeekin offered the following resolution:

Resolved, that in accordance with the list in the possession of the clerk, House Bills numbered 699 through 713 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the designated committees.

\* \* \*

Resolution adopted by vv.

### INTRODUCTION OF BILLS

The following bills were read a first and second time, laid on the table for printing and referred as follows:

HB 699, creating the position of director in the state veterans council. (RULES COMMITTEE for Rep. Belcourt of Hillsboro Dist. 16 — To Claims, Military & Veterans Affairs.)

HB 700, relative to regulation of passenger tramways and skiing areas. (Goode of Hillsboro Dist. 26 — To Statutory Revision.)

HB 701, relative to fishing limits in Great Bay. (Dorley of Rockingham Dist. 25 — To Fish & Game.)

HB 702, to provide monetary sanction provisions for violation of statutes and regulations pertaining to gas pipelines. (Newell of Merrimack Dist. 26 — To Agriculture.)

HB 703, empowering the water supply and pollution control commission to establish channel encroachment lines. (Raiche and Cares of Hillsboro Dist. 34, Wallin of Hillsboro Dist. 14 — To Resources, Recreation & Development.)

HB 704, permitting restaurants, hotels and clubs holding on-sale permits to sell beverages on Sundays. (LaPlante of Hillsboro Dist. 16 — To Liquor Laws.)

HB 705, relative to qualifications for the serving of liquor or beverages. (Nahil of Sullivan Dist. 4 — To Liquor Laws.)

HB 706, increasing the minimum fee for a motor vehicle permit for registration. (Weilbrenner of Hillsboro Dist. 4 — To Transportation.)

HB 707, providing for the manner of election of officers and the executive committee at county conventions. (Murray of Hillsboro Dist. 7, Knight & Poehlman of Hillsboro Dist. 4, Nixon of Hillsboro Dist. 5 — To Municipal & County Government.)

HB 708, authorizing municipalities to levy special assessments for the construction, operation and maintenance of parking facilities and approaches thereto. (Cares of Hillsboro Dist. 24, Zachos of Hillsboro Dist. 27 — To Statutory Revision.)

HB 709, removing the limitation of recovery by wrongful death. (Martin of Belknap Dist. 8 — To Judiciary.)

HB 710, relative to ice fishing on Great Bay and its tributaries. (Maynard of Rockingham Dist. 24 — To Fish & Game.)

HB 711, relative to the use of snow traveling vehicles on Great Bay. (Dorley of Rockingham Dist. 25 — To Judiciary.)

HB 712, relative to the open season on fisher in Rockingham and Strafford counties. (Dorley of Rockingham Dist. 25 — To Fish & Game.)

HB 713, relative to trustee process. (Martin of Belknap Dist. 8 — To Judiciary.)

HB 714, legalizing the annual town meeting held in the town of Goffstown on March 11, 1969. (RULES COMMITTEE for Rep. Weilbrenner of Hillsboro Dist. 4 — To Statutory Revision.)



## SENATE MESSAGE

The Senate refuses to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 70, relative to penalties for speeding.

HB 149, relative to extending the jurisdiction of local police by consent.

## FURTHER SENATE MESSAGE

The Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 187, relative to acceptance of federal funds by fish and game department.

## AMENDMENT

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Fish and Game Department Authorized to Receive Federal Funds; Filing of Requests and Plans. Amend RSA 206 by inserting after section 38 the following new sections:

206:39 Federal Funds. The department of fish and game is authorized to receive and expend any gifts and grants from any source including the United States of America and to hold property real and personal, acquired thereunder to complete any project authorized under the provisions of this title.

206:40 Copies of Plans and Requests to be Filed. The department of fish and game shall file copies of any plans or requests for funds submitted to the United States government as part of an application for federal funds with the speaker of the house and the president of the senate within seven days after said plans or requests for funds are submitted.

Rep. Eaton moved that the House non-concur in the Senate amendment and that a committee of conference be appointed. The Chair appointed Reps. Bell, Downing and Goff as referees on the part of the House.

### FURTHER SENATE MESSAGE, INTRODUCTION OF CACR 13 AND SENATE BILLS AND REFERRAL:

CACR 13, Relating to: The Election of the Governor. Providing that: The Governor Shall be Elected Every Four Years on the Non-presidential Election Years. — Constitutional Revision.

SB 70, relative to liquor and beverage licenses and permits. — Liquor.

SB 102, relative to continuance of cases for non-support. — Statutory Revision.

SB 121, relative to the good samaritan law. — Statutory Revision.

SB 144, establishing the state's right to the air space above certain highways. — Public Works.

SB 142, providing for veterans of the Viet Nam conflict the same benefits accorded other veterans relative to state employment. — Appropriations.

SB 148, to permit free parking for jurors in attendance at the United States District Court. — Constitutional Revision.

### FURTHER SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following concurrent resolution:

HCR 12, regarding National Library Week.

\* \* \*

On the motion of Rep. Greenwood HJR 43, in favor of Ronald C. Broderick, was removed from the table.

### AMENDMENT

Amend the resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of one thousand, eight hundred, and seventy-two dollars is hereby appropriated for each fiscal year until the death of Ronald C. Broderick of Franconia or until he reaches the age of sixty-five, whichever occurs first, for medical expense and other losses incurred as a result of bodily injuries

sustained by him in the fall of a car from the Cannon Mountain aerial tramway in Franconia Notch in March 1963 while in the performance of his duties as an employee of the state. The sums hereby appropriated shall be in addition to any other sums previously paid by the state and constitute full and final payment and settlement of any claim Mr. Broderick may have against the state of New Hampshire: provided, however, said payment shall not preclude payment of any future benefits to which he may be entitled under the workmen's compensation laws. The sums hereby appropriated shall be paid to Mr. Broderick in weekly installments of thirty-six dollars each. The governor is authorized to draw his warrant for said sum from any money in the treasury not otherwise appropriated.

Effective Date. Takes effect upon passage.

The question being on the committee report, ought to pass with amendment.

Rep. O'Neil spoke in favor of the resolution.

(discussion ensued)

Rep. O'Neil yielded to Rep. Greenwood to answer questions.

Rep. Newell spoke in favor of the resolution.

Amendment adopted and the bill ordered to third reading by vv.

## COMMITTEE REPORTS

### **SB 107**

relative to the governor's commission on crime and delinquency. Ought to pass. Rep. George Roberts for Appropriations.

Ordered to third reading by vv.

### **SB 122**

making an additional appropriation for fiscal 1969 for the liquor commission. Ought to pass. Rep. Edward York for Appropriations.

Ordered to third reading by vv.

### **HB 483**

increasing the salary of the Cheshire county attorney.

Ought to pass. Rep. Sheldon Barker for Cheshire County Delegation.

Ordered to third reading by vv.

**HB 489**

increasing the salary of the Coos county treasurer. Ought to pass. Rep. Fortier for Coos County Delegation.

Ordered to third reading by vv.

**HB 411**

prohibiting unfair methods of competition and unfair or deceptive acts or practices in trade and commerce and making an appropriation therefor. Ought to pass with amendment. Rep. Shirley Clark for Executive Departments and Administration.

**AMENDMENT**

Amend RSA 358-A:2 as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

358-A:2 Acts Unlawful. It shall be unlawful for any person to use any unfair method of competition or any unfair or deceptive act or practice in the conduct of any trade or commerce within this state, including but not limited to:

- (a) passing off goods or services as those of another;
- (b) causing likelihood of confusion or misunderstanding as to the source, sponsorship, approval or certification of goods or services;
- (c) causing likelihood of confusion or of misunderstanding as to affiliation, connection, or association with, or certification by, another;
- (d) using deceptive representations or designations of geographic origin in connection with goods or services;
- (e) representing that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits, or quantities that they do not have or that a person has a sponsorship, approval, status, affiliation, or connection that he does not have;

(f) representing that goods are original or new if they are deteriorated, altered, reconditioned, reclaimed, used or second-hand;

(g) representing that goods or services are of a particular standard, quality, or grade, or that goods are of a particular style or model, if they are of another;

(h) disparaging the goods, services, or business of another by false or misleading representations of fact;

(i) advertising goods or services with intent not to sell them as advertised;

(j) advertising goods or services with intent not to supply reasonably expectable demand, unless the advertisement discloses a limitation of quantity;

(k) making false or misleading statements of fact concerning the reasons for, existence of, or amounts of price reductions; or

(l) engaging in any other conduct which similarly creates a likelihood of confusion or of misunderstanding.

Amend RSA 358-A:3 as inserted by section 1 of the bill by striking out the final unnumbered paragraph thereof and inserting in place thereof the following:

IV. Publishers, broadcasters, printers, or other persons engaged in the dissemination of information or reproduction of printed or pictorial matter who publish, broadcast, or reproduce material without knowledge of its deceptive character.

V. The burden of proving exemptions from the provisions of this chapter by reason of paragraphs I, II, III, and IV of this section, shall be upon the person claiming the exemption.

Amend RSA 358-A:4, I as inserted by section 1 of the bill by striking out said paragraph and inserting in place thereof the following:

I. There is hereby established in the office of the attorney general a consumer fraud division. The attorney general shall appoint, in accordance with the provisions of RSA 7:16 and in addition to the number therein provided for, an assistant attorney general to carry out the provisions of this chapter and to do such other work as he may assign. The attorney general

may establish such rules and regulations as may be necessary or desirable for the proper administration of this chapter.

Amend RSA 358-A:6, II as inserted by section 1 of the bill by striking out said paragraph and inserting in place thereof the following:

II. Any person who violates the terms of an injunction issued under section 358-A:4 (II) shall be fined not more than ten thousand dollars for each violation. For the purposes of this section, the court issuing said injunction shall retain jurisdiction.

Amend RSA 358-A:7 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

358-A:7 Assurance of Discontinuance. Nothing herein contained shall be construed as preventing the attorney general, in cases in which he is authorized to bring an action, from accepting in lieu thereof an assurance of discontinuance of any act or practice which violates this chapter. Such assurance may include a stipulation for the voluntary payment by the alleged violator of the costs of investigation by the attorney general, or of an amount to be held in escrow pending the outcome of an action, or of an amount to restore to any person any money or real or personal property which may have been acquired by such alleged violator, or all three. Any such assurance of discontinuance shall be in writing and be filed with the superior court of Merrimack county. Matters thus closed may be reopened by the attorney general at any time it is in the public interest. Evidence of a violation of such assurance shall constitute prima facie evidence of an act or practice declared to be unlawful by this chapter in any action thereafter commenced by the attorney general.

Amend RSA 358-A:8, I as inserted by section 1 of the bill by striking out said paragraph and inserting in place thereof the following:

358-A:8 Subpoena; Production of Books, Examination of Persons, etc.

I. Authority of Attorney General. The attorney general shall have the power to subpoena in the name of the attorney general for the purposes of this chapter. Witnesses summoned



by the attorney general shall be paid the same fee and mileage that are paid witnesses in the superior court of the state. A subpoena of the attorney general may be served by any person designated in the subpoena to serve it.

The attorney general, whenever he believes any person to be or to have been in violation of this chapter, may examine or cause to be examined for that purpose any books, records, papers or other documentary materials, or may examine any person under oath that he thinks may have knowledge of said violation. For said examination the attorney general may require said person to appear at any place in the county in which said person resides or has a place of business, or, if said person is a nonresident or has no place of business in this state, at any place in Merrimack county.

Amend RSA 358-A:8, IV as inserted by section 1 of the bill by striking out said paragraph and inserting in place thereof the following:

IV. Extension; Modification. At any time prior to the date specified in the notice, or within twenty-one days after the notice has been served, whichever period is shorter, the superior court may, upon motion for good cause shown, extend said reporting date, or modify or set aside the demand. The motion may be filed in the superior court of the county in which said person resides or has his usual place of business, or in Merrimack county.

Amend section 1 of the bill by inserting after RSA 358-A:10 the following new sections:

358-A:11 Proof Required. In order to prevail in any prosecution under this chapter, it is not necessary to prove actual confusion or misunderstanding.

358-A:12 Other Actions Saved. This chapter does not affect unfair trade practices otherwise actionable at common law or under other statutes of this state.

Amendment adopted by vv. Referred to Appropriations under the Rules.

## **SB 66**

to apply a rule of comparative negligence to tort cases. Inexpedient to legislate. Rep. Theriault for Judiciary.

Resolution adopted by vv.

**HB 462**

establishing the committee on legislator orientation. Ought to pass with amendment. Rep. Adams for Legislative Revision.

**AMENDMENT**

Amend RSA 17-B:1, II as inserted by section 1 of the bill by inserting in line two after the word "held" the words (in Concord) so that said paragraph as amended shall read as follows:

II. To prepare and run a legislator's orientation program primarily for new legislators which shall be held in Concord between the date of election and the date the new session convenes.

Amend section 2 of the bill by striking out in lines four and five the words "newly elected legislators who attend such sessions" and inserting in place thereof the words (new legislators elect who attend such session at the same rates and basis as legislative mileage) so that said section as amended shall read as follows:

2 Appropriation. The sum of five thousand dollars is hereby appropriated to the committee on legislator orientation to meet the necessary expenses incurred by the committee in sponsoring such orientation session and to meet the necessary expenses of the new legislators elect who attend such session at the same rates and basis as legislative mileage. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

\* \* \*

Amendment adopted by vv. Referred to Appropriations under the Rules.

**HB 521**

enabling towns to have a contingency fund without being required to put a special article in the warrant each year. Ought to pass. Rep. Robinson for Municipal and County Government.

Ordered to third reading by vv.

**HB 557**

relative to the penalty for late payment of poll taxes.

Ought to pass. Rep. Blain for Municipal and County Government.

Ordered to third reading by vv.

#### **HB 487**

to provide improved highway access to Grenier Field and the Greater Manchester Industrial Airpark. Ought to pass with amendment. Rep. Elmer York for Transportation.

### **AMENDMENT**

Amend section 4 of the bill by striking out in line one the word "forty" and inserting in place thereof the word (sixty) so that said section as amended shall read as follows:

4 Appropriation. The sum of sixty thousand dollars is appropriated for preliminary surveys and engineering design. The appropriation is in addition and added to the department of public works and highways engineering appropriation under the budget acts. The funds for preliminary engineering may be spent by the commissioner of public works and highways only upon approval of the governor and council after determination of the feasibility of the project. The governor is authorized to draw his warrant for the sum hereby appropriated which shall be a charge against the highway funds.

Amend section 5 of the bill by striking out in line two the words "three hundred thirty-five" and inserting in place thereof the words (seven hundred) so that said section as amended shall read as follows:

5 Construction Funds. The industrial development authority is authorized to make a construction loan up to seven hundred thousand dollars to the city of Manchester and up to three hundred twenty-five thousand dollars to the town of Londonderry to construct or reconstruct these access roads. The loans by the authority are to be made upon such terms and conditions as prescribed by the authority and the expenditures shall be subject to the approval of the governor and council as provided under RSA 236-C and 162-A. The commissioner of public works and highways, before commencing construction, shall determine that title to the right of way has been conveyed to the state or the city and the town.

Amendment adopted by vv. Referred to Appropriations under the Rules.

**HB 498**

relative to special number plates for justices and special justices of district courts. Ought to pass with amendment. Rep. Bartlett for Transportation.

**AMENDMENT**

Amend the title of the bill by striking out the same and inserting in place thereof the following:

**AN ACT**

relative to special number plates for justices and special justices of district courts, of municipal courts and justices of probate courts.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Justices and Special Justices of District Courts. Amend RSA 260:10 as amended by 1955, 28:1, 143:2 and 1957, 136:1 by inserting in line seven after the words "deputy sheriffs" the following (justices and special justices of the district courts and municipal courts, justices of the probate courts) so that said section as amended shall read as follows: 260:10 Special Number Plates. Upon payment of motor vehicle registration fee, if any, the director may issue a special plate, to be designated by him, to be affixed to the vehicle of the governor, the members of the governor's council, president of the senate, members of the senate or their spouse, speaker of the house of representatives, members of the house of representatives or their spouse, the attorney general and his deputy, county sheriffs, deputy sheriffs, justices and special justices of the district courts and municipal courts, justices of the probate courts, and vehicles of state police and motor vehicle departments. Said special plates shall be issued at no cost to the state other than those plates furnished to the governor, the members of the governor's council, the president of the senate, speaker of the house of representatives, state police and motor vehicle departments.

\* \* \*

Rep. Morrill explained the amendment.

Amendment adopted and the bill ordered to third reading by vv.

**HB 540**

relating to the squealing of automobile tires on the pavement. Inexpedient to legislate. Rep. Sears for Transportation.

Resolution adopted by vv.

**CA-CR 1**

relating to compensation of the members of the legislature. Providing that a commission shall biennially set the rate of compensation for the members of the legislature. Ought to pass with amendment. Rep. Wuelper for Constitutional Revision.

**AMENDMENT**

Amend paragraph I of said resolution by striking out the same and inserting in place thereof the following:

I. Resolved, That Article 15 of Part Second, (supp) as amended in 1960, of the Constitution of New Hampshire be amended by striking out said article and inserting in place thereof the following:

[Art.] 15th. [Compensation of the Legislature Established by Commission.] There shall be a legislative compensation commission consisting of seven members, three (3) of whom shall be appointed by the governor with the approval of the council and four (4) of whom shall be appointed by the supreme court, which shall biennially establish the rate of compensation, and the amount of expense allowance (which shall include, but not be limited to, mileage expense) to be paid to the members of the general court, provided that no Legislator shall receive an expense allowance after the legislature shall have been in session for ninety legislative days or after the first day of July following the biennial assembly of the legislature, whichever occurs first; except that when a special session shall be called by the governor or by a two-thirds vote of the then qualified members of each branch of the general court, such officers and members shall receive expense allowances for an additional period not exceeding fifteen (15) days. Each member of the commission shall be appointed for a term of seven years or until his successor is appointed and qualified, provided that for the initial appointment of the commission the supreme



court shall appoint one member for a term of one year, one for a term of three years, one for a term of five years, and one for a term of seven years; and the governor shall appoint one member for a term of two years, one for a term of four years, and one for a term of six years. Vacancies shall be filled by the original appointing authority for the unexpired term of the member whose death, resignation, or disqualification causes the same. The members of the commission shall be residents of this state and shall be appointed without regard to political affiliation. No one shall be appointed to the commission who is a member of the legislature or who is an official or employee of the state of New Hampshire or any department, agency or political subdivision thereof or of any agency or institution to which any state funds are appropriated. On or before April first of each year in which a biennial election is to be held, the commission shall establish, for the coming biennium, the rate of compensation for services to be rendered by members of the legislature and amount of their expense allowances incident to their legislative activities, except that said commission shall set the rate of compensation and amount for expense allowances for the 1971 session of the legislature on or before the first day on which that legislature convenes. The rates of compensation and amount of expense allowances so established shall be filed with the secretary of state immediately after being fixed.

Nothing herein shall prevent the payment of additional expense allowances to members attending committee meetings or on other legislative business on non-legislative days.

Amend paragraph IV. of said resolution by striking out the same and inserting in place thereof the following:

IV. Resolved, That the sense of the qualified voters shall be taken by ballot upon the following question submitted to them by the general court:

Are you in favor of amending the constitution by abolishing the current provision for paying legislators two hundred dollars for a two-year term plus mileage, and by inserting in place thereof a provision establishing a legislative compensation commission, which shall be appointed by the governor and council and the supreme court, and which shall biennially set the rates of compensation and amount of expense allowances for the legislature for the coming term; provided that the current limitations on the number of days and the July first limit



for or to which mileage may be paid shall be retained and applied to expense allowances?

\* \* \*

The question being on the adoption of the committee amendment.

Rep. Logan spoke in favor of the Concurrent Resolution as follows:

Mr. Speaker: I rise in favor of CA-CR 1, a resolution which, if accepted by the voters would establish a commission which would biennially in the spring, set the rate of compensation to be paid members of the Legislature who would be elected the following November.

I believe a review and reform of Legislative compensation in New Hampshire is long overdue.

In my opinion the present membership of this house is perfectly capable of setting a reasonable and realistic compensation for future sessions. Experience, however, indicates that the voters of the state do not agree with me.

For that reason we have proposed CA-CR 1 and the establishment of a Legislative Compensation Commission which would be above the suspicion of even the most vigilant voter.

Since no Member of the Legislature and no official or employee of the state may serve on this commission, it is difficult to see how anyone could cry "foul" or "undue influence" or could say that this is simply a legislative device to feather our own nests.

To those who offer other suggestions for reforming this Legislature's compensation, let me say simply that in New Hampshire other approaches have been tried and have failed, and that in other states with similar problems the commission approach has been successful.

This resolution would certainly provide no royal road to riches for any future legislature, but I consider it a very important step for us to take, and I sincerely hope the members of the house will see fit to accept the committee recommendation and pass it as amended.

My reasons for hoping that you will take this action go far beyond the fact that I am identified as a sponsor. Let me attempt an explanation.

During my relatively brief term of service in this house, I have developed a feeling of pride in being a part of it. You might call this a "fierce pride" for I am ready to fight in defense of our reputation, our importance to the state, and the basic soundness of a majority of our judgments.

This does not mean that I consider the house above criticism. Far from it.

Collectively we have been called antiquarians, do-nothings, big-spenders, money-grubbers, sheep, mules and fossils.

Individual we have been labelled clowns, curmudgeons, exhibitionists, and butchers.

All these we have been called and more.

Most of them we live with because they apply only to a small minority of the members or because they are spoken at the peak of an emotional exchange.

There is, however, one accusation which I do not think we can continue to countenance. We cannot continue to live with the label of "parasites" applied not to just a small minority of us — but to all of us.

This accusation is an offensive one, but before you rise up and demand tar and feathers, and before the gentlemen of the press rush to slug the story "legislators called parasites", I ask you to hear me out.

The logic behind this accusation is irrefutable when the word *parasite* is used in the biologic sense of one who lives on or at the expense of some other living organism without making anything like an adequate contribution to that relationship.

My contention is that because our compensation is so miserably inadequate as to constitute a very unfunny joke, we are forced into a parasitic role in order to exist.

Many of us are, as I am, parasitic upon our own past earnings and savings. Others are dependent on family businesses, or partnerships, or wives or brothers or other relatives who earn the bread while we serve here in economic ignominy.

Parasites are scorned by anyone who works and lives independently. Whenever I talk with people in my home district, or travel the state, or visit other states, and the subject of our compensation comes up, I can feel the sneers and slurs even though I cannot see or hear them.

At one point the Bible says: "The labourer is worthy of his hire." At another "The labourer is worthy of his reward." An even more appropriate question is: "If I am not for myself, who will be for me?"

These quotations require no explanation, but let me say from long personal experience that no one, an employer, a fellow worker, or a constituent respects you because you work for a ridiculous, inadequate wage.

Since 1889 the salaries of New Hampshire legislators have been fixed at two hundred dollars. At this point of time I am unable to judge whether in the last decade of the nineteenth century, two hundred dollars was an adequate salary.

No one can argue convincingly that it is adequate in 1969. The mileage formula is not and never can be an answer. It is inadequate and it is certain to be unfair. I need think of only two examples — two of the hardest working members of the General Court who, because they live in or near Concord, averaged mileage payments of \$4.35 a week during the six months of the 1967 session.

Members from distant districts receive more, but still a woefully inadequate return for their time. In addition, they are periodically insulted by hearing their constituents speak of mileage payments as though they were some kind of under-the-table payment or bribe.

This is an old story but it is a shameful one.

During the years between 1889 and 1969 many, many attempts have been made to amend the constitution to permit a change in the amount and the method of legislative compensation. All such efforts have been rejected. The most recent failure was in 1968.

If it were constitutionally permitted to establish the compensation for future legislators, I would most certainly work and vote to do so. Since we are not, I urge your support of CA-CR 1.

This resolution seems to offer a reasonable approach. To many members who are more knowledgeable than I am, it seems to have a better than even chance of voter approval. It seems to offer us an opportunity to launch a process which will in time remove the label of parasite and stop the inevitable downgrading that results from permitting our own services to be so hopelessly under-valued.

In conclusion, let me repeat that whether we like it or not the value or worth of a man is apt to be judged by the price he sets on his own services. And let me hope that you will not only vote unanimously to place this resolution on the ballot, but that you will have the fortitude to go back to your own districts and speak for, work for, and vote for its passage.

I thank you.

Reps. Coutermarsh, Raiche and Brungot spoke in favor of the Concurrent Resolution.

(discussion ensued)

At the request of Reps. Schwaner and Shirley, Rep. Logan answered questions.

Rep. Maloomian spoke in favor of the Concurrent Resolution.

(discussion ensued)

Rep. Wilfrid Boisvert moved the previous question and it was sufficiently seconded.

The question being, shall the main question now be put.

Motion adopted by vv.

Speaker: The question before the house at the present time is the adoption of the committee amendment. We are currently operating under the joint rules of the 1967 session and also under the provisions of article 100 of the State Constitution. The vote on the amendment will be by a voice vote after which any other amendments would be in order after which when we go to the ordering of third reading it will be a standing vote as specified in the constitution. The ordering to third reading and the final passage both take a 60% vote of the entire membership. The entire membership at the present time is 398 members. 239 will be necessary for passage. The question

at the present time is on a simple majority and it is a voice vote. The question is the adoption of the committee amendment.

Amendment adopted by vv.

The question now being, shall CACR 1 be read a third time.

327 having voted in the affirmative and 4 in the negative the motion ordering CACR 1 to a third reading was adopted.

### POINT OF ORDER

Rep. Newell asked the Speaker if the question before the House is in accordance to the Joint Rules.

SPEAKER: We are reading Rule 20 of the Joint Rules of the 1967 session. The chair would state that this House adopted the 1967 Rules as their Joint Rules and proposed certain amendments to those Joint Rules and the Senate did nonconcur with the amendments that we proposed. Therefore the amendments have never been adopted by the two bodies jointly although they are in the process of doing so. We are still operating under the Joint Rules of the 1967 session. The Joint Rule reads on the question of ordering a resolution to a third reading and final passage — “the President or the Speaker shall require a division vote unless a roll call is requested under the Rules and completed.” In the last session this branch of the legislature did this with one vote and the Senate did it with two votes. There was some question legally as to which was the correct passage, the key phrases being as the member has pointed out, question of ordering such a resolution to the third reading and final passage. To be safe, the chair stated a question this morning as shall the Constitutional Resolution be read a third time? It is the chair’s opinion it will then order it to third reading and final passage and have another division vote on that as a matter of safety. The chair does concur with the member from Concord that he could probably correctly interpret it the other way, but I don’t want to take any chance so I think we will take two votes just to make very sure that we are doing it correctly although it was interpreted at the last session the other way and it could with validity be interpreted the other way today. The chair wants to go the extra step in the interest of not having any constitutional challenge in the courts.

BEDNAR: Was it not done the other way in 1965?



SPEAKER: The Chair would state that we are not suspending the Rules to bring up the subject. It was brought up by the member from Concord. The chair would further state that I believe the member is correct but I am operating from memory and not from fact that in the 1965 session it was done the way the chair proposes to do it today. The chair wants to do this in a way that it will be immune from any overthrow by the court so the chair is going to adopt the safest possible method and may be going a step that is questionable as to whether it is necessary. The chair thinks it is necessary to make certain that our intent is clear cut when they bring this before the voters of the public.

NEWELL: How can one house suspend the Joint Rules?

SPEAKER: The Chair would state that we are not suspending the Joint Rules, we are suspending the House Rules in bringing a third reading up in the morning session rather than the afternoon session. The question is not a suspension of the Joint Rules, it is a suspension of the House Rules, therefore the procedure would be in order. It would take a two-thirds vote. To make it clear that there is a two-thirds vote, the chair will order a division on this question.

Rep. Logan moved that the Rules of the House be so far suspended as to put CACR 1 on third reading and final passage at the present time.

The question being on the suspension of the Rules.

327 members having voted in the affirmative and 7 in the negative, the motion was adopted by a 2/3 vote.

(Newell rose again on a point of order)

The question now being on the passage of CACR 1.

### THIRD READING

337 having voted in the affirmative and 5 in the negative CACR 1, RELATING TO: Compensation of the Members of the Legislature. PROVIDING THAT: A Commission Shall Biennially Set the Rate of Compensation for the Members of the Legislature, was read a third time, passed, and sent to the Senate for concurrence.



## RECONSIDERATION

Rep. Vachon, having voted with the majority, moved that the House reconsider its action whereby it passed CACR 1, RELATING TO: Compensation of the Members of the Legislature. PROVIDING THAT: A Commission Shall Biennially Set the Rate of Compensation for the Members of the Legislature, and spoke against the motion.

Motion lost by vv.

\* \* \*

Rep. Bednar requested that the Speaker's remarks with regard to CACR 1 be printed in the Journal.

**HB 166**

to apply a rule of comparative negligence in tort cases. Majority: Inexpedient to legislate. Rep. Frizzell for Judiciary.

Minority: Ought to pass with amendment. Reps. Andrews, Capistran, Wallin, Carrier, Murphy and Sayer.

## AMENDMENT

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Rule Applied. Amend RSA 507 by inserting after section 7 the following new section: 507:7-a Comparative Negligence. Contributory negligence shall not bar recovery in an action by any plaintiff, or his legal representative, to recover damages for negligence resulting in death, personal injury, or property damage, if such negligence was not greater than the causal negligence of the defendant, but the damages awarded shall be diminished, by general verdict, in proportion to the amount of negligence attributed to the plaintiff; provided that where recovery is allowed against more than one defendant, each such defendant shall be liable for that proportion of the total dollar amount awarded as damages in the ratio of the amount of his causal negligence to the amount of causal negligence attributed to all defendants against whom recovery is allowed.

\* \* \*

Rep. Andrews moved that the minority report "ought to pass with amendment" be substituted for the majority report "inexpedient to legislate" and spoke in favor of the motion.

(Rep. O'Neil in the Chair)

Rep. Nixon spoke in favor of the motion.

(Speaker in the Chair)

(discussion ensued)

Reps. Maloomian, Capistran, Greenwood, Carrier and Bednar spoke in favor of the motion.

(discussion ensued)

Reps. Record, Mackintosh, and Frizzell spoke against the motion.

Rep. Sterling moved the previous question and it was sufficiently seconded.

The question being, shall the main question now be put.

Motion adopted by vv.

The question now being on the motion to substitute the minority report, "ought to pass with amendment" for majority report, "inexpedient to legislate"

Motion adopted by vv.

The question now being on the minority amendment.

Amendment adopted by vv.

The question now being, shall the bill be ordered to a third reading.

Motion adopted by vv.

Rep. Ratoff moved that HB 376, relative to horse and dog racing, be made a Special Order for 11:02 Tuesday next.

Motion adopted by vv.

Rep. Trowbridge moved that HB 543, making appropriations for capital improvements, be made a Special Order for 11:01 Wednesday next.

Motion adopted by vv.

Reps. Hilda Brungot, Rebecca Gagne and Marcia Rich offered the following resolutions:

## RESOLUTIONS

*Whereas*, we have learned with deepest sorrow of the passing of Marion Colby, who had served approximately twenty-five sessions as a House stenographer, and

*Whereas*, Marion Colby was noted for the conscientious and able performance of her duties, therefore be it

*Resolved*, that we, the members of the House of Representatives, in General Court convened, do hereby pay homage to the memory of Marion Colby and extend our sympathy to her family, and be it further

*Resolved*, that a copy of these resolutions be transmitted to her daughter, Mrs. Richard Cleveland.

\* \* \*

Resolutions adopted by vv.

Rep. Sterling moved that the remarks of Rep. Logan on CA-CR 1 be printed in the Journal.

Motion adopted by vv.

On motion of Rep. O'Neil the House adjourned from the early session, and the Rules of the House were so far suspended as to permit the reading of bills by title only, HJR by caption only, and that when the House adjourns today it be to meet Tuesday next at 11:00 o'clock.

LATE SESSION  
THIRD READINGS

The following bills and HJR were read a third time, passed, and sent to the Senate for concurrence.

HJR 43, in favor of Ronald C. Broderick of Franconia.

HB 483, increasing the salary of the Cheshire county attorney.

HB 489, increasing the salary of the Coos county treasurer.

HB 521, enabling towns to have a contingency fund without being required to put a special article in the warrant each year.

HB 557, relative to the penalty for late payment of poll taxes.

HB 498, relative to special number plates for justices and special justices of district courts and municipal courts and justices of probate courts.

HB 166, to apply a rule of comparative negligence in tort cases.

### RECONSIDERATION

Rep. Vachon, having voted with the majority, moved that the House reconsider its action whereby it passed HB 166, to apply a rule of comparative negligence in tort cases, and spoke against the motion.

Motion lost by vv.

### RECONSIDERATION

Rep. Greenwood, having voted with the majority, moved that the House reconsider its action whereby it passed HJR 43, in favor of Ronald C. Broderick of Franconia and spoke against the motion.

Motion lost by vv.

\* \* \*

The following Senate Bill was read a third time, passed, and sent to the Secretary of State to be engrossed.

SB 122, making an additional appropriation for fiscal 1969 for the liquor commission.

SB 107, relative to the governor's commission on crime and delinquency was read a third time, passed and sent to the Senate for concurrence in the House amendment.

\* \* \*

On motion of Rep. Jennie Bennett the House adjourned at 1:50 P. M.

*Tuesday, April 15, 1969*

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain Rev. Jack Wyretzen from "World of Life Fellowship," New York City.

## PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Terrill led the House in the Pledge of Allegiance to the Flag.

## LEAVES OF ABSENCE

Rep. Stafford was granted leave of absence for the day on account of illness.

Rep. Poliquin was granted leave of absence for today and tomorrow on account of important business.

Reps. Cox and Goodrich were granted leave of absence for the week on account of important business.

Reps. Williamson and Belcourt were granted leave of absence for two weeks on account of important business.

Reps. Hector Rousseau and LaRoche were granted indefinite leave of absence on account of illness.

## INTRODUCTION OF A GUEST

The Chair introduced Capt. Paul Stanley, Amissions officer West Point Military Academy, West Point, N. Y.

\* \* \*

## RESOLUTION

Rep. McMeekin offered the following resolution:

Resolved, that in accordance with the list in the possession of the clerk, House Bills numbered 715 through 727 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

Resolution adopted by vv.

## INTRODUCTION OF BILLS

The following bills were read a first and second time, laid on the table for printing and referred as follows:

HB 715, relative to parking for jurors while in attendance at federal district court. (Martin of Belknap Dist. 8 — To Constitutional Revision.)

HB 716, establishing a hearing board to review and make recommendations to the legislature regarding claims against the state. (Eaton of Hillsboro Dist. 2, Weeks of Rockingham Dist. 23 — To Legislative Revision.)

HB 717, providing that an operator of a motor vehicle must have paid taxes for which he was liable for two years preceding application for license. (Murphy of Strafford Dist. 18 — To Transportation.)

HB 718, providing for an exception to the minimum wage laws. (Murray of Hillsboro Dist. 7 — To Labor, Human Resources & Rehabilitation.)

HB 719, relative to personal property tax liens on mobile homes. (Bednar of Hillsboro Dist. 23 — To Ways & Means.)

HB 720, providing for recovery of interest, and cost of collection fees in actions to collect on checks, drafts or orders issued against non-existent accounts or insufficient funds. (Andersen of Merrimack Dist. 25 — To Statutory Revision.)

HB 721, relative to the taxation of automatic and electronic data processing equipment. (Bednar of Hillsboro Dist. 23 — To Ways & Means.)

HB 722, relative to the zoning power of towns and cities. (Bednar of Hillsboro Dist. 23 — To Municipal & County Government.)

HB 723, relative to penalties for transferring lots in unapproved subdivisions. (Bednar of Hillsboro Dist. 23 — To Municipal & County Government.)

HB 724, to place the question of the length of term for certain town officers on a printed ballot. (Bednar of Hillsboro Dist. 23 — To Municipal & County Government.)

HB 725, relative to the construction of a class I highway in the towns of Walpole, Langdon and Charlestown. (Forbes



of Cheshire Dist. 3, Johnson of Cheshire Dist. 1, Galbraith & Frizzel of Sullivan Dist. 7, Williamson of Sullivan Dist. 9 — To Public Works.)

HB 726, to include certain items of machinery as personal estate liable to be taxed. (Johnson of Cheshire Dist. 9 — To Ways & Means.)

HB 727, relative to the transfer of real property. (Roberts of Belknap Dist. 6 — To Statutory Revision.)

### ENGROSSED BILLS COMMITTEE REPORT

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bills, Senate Bills and House Joint Resolutions:

HB 160, An Act relative to expiration dates for licenses for trapping and for fur buyers and required report of yearly catch.

HB 259, An Act relative to the practice of engineering.

SB 25, An Act relative to the reduction of minimum term of prisoners for donation of blood.

SB 99, An Act providing for a ten day season for hunting deer with muzzle-loaders.

SB 122, An Act making an additional appropriation for fiscal 1969 for the liquor commission.

SB 170, An Act relative to the appropriation for the Nashua Vocational Institute.

HJR 37, Joint Resolution providing additional appropriation for the tax commission.

HJR 41, Joint Resolution providing compensation for seven employees of the racing commission.

Roxie A. Forbes  
for the Committee

### SENATE MESSAGES

The Senate refuses to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

HB 191, relative to court hearing after an arrest without a warrant.

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

HB 396, relative to printing statutes.

#### FURTHER SENATE MESSAGE, INTRODUCTION OF SENATE BILLS AND REFERRAL

The following Senate Bills were read a first and second time and referred as follows:

SB 136, relative to the sale of subdivided land in zoned areas. Municipal and County Government

SB 137, relative to the submission of plats to planning boards. Municipal & County Government

#### COMMITTEE REPORTS

##### **HB 497**

providing for the appointment of additional deputy sheriffs on salaries in Belknap county and providing the sheriff shall fix their rate of compensation. Ought to pass with amendment. Rep. George B. Roberts for Belknap Delegation.

#### AMENDMENT

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Effective Date. This act shall take effect upon passage.

Amendment adopted and the bill ordered to third reading by vv.

##### **SB 22**

to provide for the permissive registration of professional foresters. Rep. Aucella for Constitutional Revision.

Referred to Appropriations under the Rules.

##### **HB 488**

relating to the licensing of auctioneers. Ought to pass with amendment. Rep. Aucella for Constitutional Revision.

## AMENDMENT

Amend RSA 311-B:10 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

311-B:10 Expiration of License — Fee. The annual fee for a license shall be fifty dollars for resident auctioneers and seventy-five dollars for out-of-state auctioneers. Said license shall expire on May thirtieth following its issuance.

\* \* \*

Amendment adopted by vv. Referred to Appropriations under the Rules.

**HB 294**

constituting the Lincoln district court. Ought to pass with amendment. Rep. Aucella for Constitutional Revision.

## AMENDMENT

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Plymouth District . Amend RSA 502-A:1, XXXIII as inserted by 1963, 331:1 and amended by 1965, 327:8 by striking out in line three the word "Lincoln", by striking out in line four the words "Alexandria and Woodstock" and inserting in place thereof the following (and Alexandria) and by striking out in lines four and five the words " and the unincorporated place of Livermore." so that said section as amended shall read as follows: XXXIII. Plymouth District. The Plymouth district shall consist of the towns of Plymouth, Bristol, Dorchester, Groton, Wentworth, Rumney, Ellsworth, Thornton, Campton, Waterville, Ashland, Hebron, Holderness, Bridgewater and Alexandria. The municipal court for the town of Plymouth is hereby constituted the district court in and for said district and shall be located in said Plymouth, holding sessions regularly therein and elsewhere in said district as justice may require. The name of said court shall be Plymouth District Court.

Amend section 2 of said bill by inserting in line three the words (and the unincorporated place of Livermore) so that said section as amended shall read as follows:

2 Court Constituted. Amend RSA 502-A:1 by inserting after paragraph XXXIII the following new paragraph: XXX-III-a Lincoln District. The Lincoln district shall consist of the towns of Lincoln and Woodstock, and the unincorporated place of Livermore. The municipal court for the town of Lincoln is hereby constituted the district court in and for said district and shall be located in said Lincoln, holding sessions therein and elsewhere in said district as justice may require. The name of said court shall be Lincoln District Court.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

#### **HB 491**

establishing the Rye district court. Refer to the Judicial Council. Rep. Aucella for Constitutional Revision.

Rep. Hammond moved that the words "ought to pass" be substituted for the committee report "That it be referred to the Judicial Council" and spoke in favor of the motion.

Motion adopted by vv.

Ordered to third reading by vv.

#### **HB 477**

relating to the classification of the bank commissioner, the deputy bank commissioner and the assistant bank commissioner. Ought to pass with amendment. Rep. MacDonald for Executive Departments and Administration.

### **AMENDMENT**

Amend said bill by striking out sections 2 to 7 inclusive and inserting in place thereof the following:

2 Bank Commissioner's Salary. Amend RSA 94:1 (supp) as amended by striking out the line "Bank commissioner 14,040 15,600" and inserting in place thereof the following (Bank commissioner 15,600 17,600).

3 Deputy Bank Commissioner. Amend RSA 383 by inserting after section 1 the following new section: 383:1-a Deputy Bank Commissioner. There shall be a deputy bank commis-

sioner who shall be recommended by the bank commissioner and appointed by the governor with the advice and consent of the council and his term shall be for six years and until his successor is appointed and qualified. The deputy may exercise the powers and perform the duties of the commissioner during his absence whenever and to the extent that he may be so authorized by the commissioner. In case of the temporary disability of the commissioner, or of a vacancy in the office, the deputy shall have the powers and perform the duties of the commissioner until another commissioner is appointed and qualified.

4 Salary of Deputy. Amend RSA 94:1 (supp) as amended by striking out the line "Deputy bank commissioner 12,480 14,040" and inserting in place thereof the following: (Deputy bank commissioner 13,200 15,200).

5 Assistant Bank Commissioner and Chief Examiner. Amend RSA 383:5 as inserted by 1959, 199:2 by striking out said section and inserting in place thereof the following: 383:5 Assistant Bank Commissioner and Chief Examiner. There shall be an assistant known as the assistant bank commissioner and chief examiner who shall be recommended by the bank commissioner and appointed by the governor with the advice and consent of the council and his term shall be six years. He shall perform such duties as shall be assigned to him by the bank commissioner.

6 Salary. Amend RSA 94:1 (supp) as amended by striking out the line "Assistant bank commissioner 10,920 12,480" and inserting in place thereof the following: (Assistant bank commissioner and chief examiner 12,300 14,300).

7 Incumbent Officials Protected. The deputy bank commissioner and the assistant bank commissioner in office on the effective date of this act, are hereby designated as, and shall become the bank commissioner and assistant bank commissioner and chief examiner as established by this act.

\* \* \*

Amendment adopted by vv. Referred to Appropriations under the Rules.

**HB 541**

relative to increasing the membership of the advisory commission on health and welfare. Majority: Ought to pass.

Rep. Moran for Executive Departments and Administration. Minority: Inexpedient to legislate. Reps. MacDonald and Michels.

Reports accepted.

Rep. MacDonald moved that the words "inexpedient to legislate" be substituted for the committee report "ought to pass" and spoke in favor of the motion.

At the request of Rep. Van Gardner, Rep. MacDonald answered a question.

Rep. Van Gardner spoke against the motion.

Reps. Donald Howard, Reddy and Ed. York spoke against the motion.

(discussion ensued)

At the request of Rep. Ed. York, Rep. MacDonald answered a question.

Rep. Michels spoke for the motion. Rep. Brummer spoke against the motion.

Motion lost by vv.

Referred to Appropriations under the Rules.

### **HB 568**

relative to payment of poll and head taxes as prerequisite for obtaining hunting and fishing licenses. Inexpedient to legislate. Rep. Huggins for Fish and Game.

Resolution adopted by vv.

Resolution concerning committee attendance. Inexpedient to legislate. Rep. Mackintosh for Legislative Revision.

Rep. Mackintosh explained the resolution.

Rep. Ormiston moved that the words "ought to pass" be substituted for the committee resolution "inexpedient to legislate" and spoke in favor of the motion and subsequently withdrew his motion.

Resolution adopted by vv.

### **HB 393**

relative to increasing the travel allowance to members of the legislature was withdrawn by committee.



**HB 558**

relative to tax anticipation notes. Ought to pass with amendment. Rep. Champagne for Municipal and County Government.

**AMENDMENT**

Amend section 1 of the bill by striking out in lines three and fifteen the word "forty" and inserting in place thereof the word (thirty) so that said section as amended shall read as follows:

1 Cities and Towns. Amend RSA 33:7, I (supp) as amended by 1957, 95:1 by striking out in line twelve the words "fifteen per cent" and inserting in place thereof the following (thirty per cent) so that said paragraph as amended shall read as follows: I. Cities and Towns. Cities and towns may incur debt in anticipation of the taxes of the financial year in which the debt is incurred, in order to pay current maintenance and operation expenses, and may issue notes thereof to an aggregate principal amount not exceeding the total tax levy during the preceding financial year, provided that after the tax levy of the current year has been determined any city or town may borrow an amount not exceeding in the aggregate the total tax levy of the city or town for the current financial year. In order to meet necessary expenses which may arise during the period from the beginning of the financial year to the date of the annual town meeting, the treasurer of any town, with the approval of the selectmen, may issue notes, without a vote of the town therefor, to an aggregate principal amount not exceeding thirty per cent of the total receipts from taxes during the preceding financial year.

\* \* \*

Amendment adopted by vv.

\* \* \*

At the request of Rep. Hackler, Rep. Bednar explained the bill and amendment.

Ordered to third reading by vv.

The Chair called for the special order on HB 286.

**HB 286**

increasing interest for late payment of taxes. Inexpedient to legislate; indefinite postponement by other legislation.

The Chair stated that he had examined precedents on this for the last 30 years; he has checked with legal counsel who have advised him on this particular ruling and read excerpts from the legal counsel.

April 9, 1969

From Arthur G. Marx, Deputy Director, Legislative Services

Subject: Rule 24, Interpretation of

To: Marshall W. Cobleigh, Speaker of the House

Relative to HB 286, increasing interest for late payment of taxes, which has been reported by the Ways and Means Committee with the following report:

Inexpedient to Legislate: Indefinite Postponement by other legislation.

The report of the Committee might have been reported to the floor of the House under Rule 56 with no action by the Committee because of the provisions of Rule 24.

The question is, what is the parliamentary situation when a bill such as HB 286 is before the House and the same question has been indefinitely postponed as is the case here because HB 388, An Act increasing the interest rates upon overdue taxes and upon the amount due when redeeming after a tax sale, has already been indefinitely postponed.

Rule 24 has been considered and interpreted to be used so that the motion to postpone indefinitely will be the killing motion in this legislature.

The result of the committee's report on HB 286 is only to place this bill again in the possession of the House.

No motion should lie except a motion in the following form at this stage:

"Mr. Speaker, I move that the House again consider the question of interest on overdue taxes (or the same subject matter as was considered when HB 388 was indefinitely postponed.)"

If any other motion, such as a motion to substitute ought to pass for inexpedient to legislate, was permitted at this point,

the effect of indefinite postponement being a killing motion would be completely emasculated and done away with.

Further, although the above recommended motion is probably open to debate, the debate should be limited only to the question of whether the same subject matter, which has already been indefinitely postponed, should be considered again, and no debate should be allowed on the merits of either one of the bills. To rule otherwise would again defeat the purpose of Rule 24 and result in the House having to listen and debate again, without it having voted so to do by two-thirds of its membership, to a subject matter which has already been indefinitely postponed.

If, in accordance with Rule 24, two-thirds of the membership votes to again consider the same subject matter, any motion made thereafter, relevant thereto, would also have to be carried by a two-thirds vote of all the membership. Unless this position is taken, the result would be that although Rule 24 reads in part "No motion to suspend this rule shall be permitted" the effect of passing only the original motion by a two-thirds vote would be to suspend Rule 24.

\* \* \*

#### SPEAKER'S RULING RE RULE 24, April 15, 1969

Rep. deBlois — On the first line of Rule 24 it says that "When a question is postponed indefinitely the same shall not be acted upon during the same biennium" — would you say this particular bill that we are going to consider, if we get to it, is the same bill as the other?

Speaker — The Speaker has tried to state in his ruling, and I would point out, it is also the same type of ruling that has been made by former Speakers Lamprey and Peterson. However, a different ruling has been made by former Speaker Dwinell as well as some others, under a different rule that the Speaker's interpretation of the same subject matter is in essence subject matter that is generally of the same import. We have tried to point out that there could be a 70 page bill where you change the word "a" to "an" on three or four occasions. It would not be changing the substance of the bill but you could on a technicality say, it is not the same. The Chair over the past ten years has ruled that the import of the matter is what counts.

Let me give the member an example or two. Do you recall in the '67 Session when the member and I were both members, that the subject of then HB 623, the combined sales and income tax bill came up, a sales tax bill had previously been indefinitely postponed. A parliamentary inquiry had been asked as to whether HB 623 was substantially the same as a sales tax bill as they both happened to be, I think, 2% sales tax bills. The then Speaker ruled and the Chair would concur that there was enough substantive difference between those two matters, one was a simple sales tax bill and the other was a sales and income tax bill. There was enough difference so the subject matter could lie. When the bills are nearly identical then the Chair will rule that they cannot lie. The Chair has looked at the bill the member proposes and the one that was indefinitely postponed and in the Chair's opinion those are substantially the same subject matter although the Chair will grant that there are some technical differences including an interest rate figure and therefore the Chair has ruled it cannot lie. If the Chair didn't do this on the interest rate bill for instance, you could have one bill saying 6% or one for  $6\frac{1}{4}\%$ ,  $6\frac{1}{2}\%$  or  $6\frac{3}{4}\%$  and so forth. You could indefinitely postpone each one only to keep getting the same subject matter back. The Chair is in effect ruling that the essence that was indefinitely postponed in the case before the House is the matter of increasing the penalty for non-payment of taxes and that the rate where it is almost the same is not of substantial enough difference to make the matter admissible under the Rules of Rule 24.

\* \* \*

deBlois — Mr. Speaker, this time I will make the motion. I move that the House again consider the same subject matter, namely, increasing interest for late payment of taxes as was considered when HB 388 was indefinitely postponed.

Speaker — The Speaker would state that the member from Laconia, Mr. deBlois, has moved that the House again consider the same subject matter, namely, increasing interest for payment of late taxes which was considered when HB 388 was indefinitely postponed. The Chair will rule that the motion is in order. It is open to debate and the debate should be limited only to the question of whether or not the same subject matter which has already been indefinitely postponed, should be con-

sidered again by the House and no debate will be allowed on the merit of the bill and only on whether or not the same subject matter should be considered again.

deBlois — Mr. Speaker, you got me there, the way you worded that one. I will say that it is not the same because to me 8% and 10% interest makes a difference. It sure will whenever you buy a house, I will assure you when you start getting that kind of interest. There have been no amendments to either bill. I don't want to bore you again — 65 days one bill has been in one committee and the other one only 23 days. I am not going to speak for the committee although I was told that one committee did ask that the other committee would sit with them to consider seeing that it was legislation of a similar nature to see if something could be done that would be of good benefit to the whole state. That is what I heard was done and I cannot even prove that. I am at your mercy. If you want to get the remainder of the bill of what I would like to see, you make the decision and not just one or two on it.

Rep. deBlois moved that the House again consider the same subject matter, namely, increasing interest for late payment of taxes, as was considered when HB 388, increasing the interest rates upon overdue taxes and upon the amount due when redeeming after a tax sale, was indefinitely postponed.

The Chair stated the motion was in order and open to debate; debate limited only to question; no debate will be allowed on the merits of the bill on same subject matter. The question being on the motion of Rep. deBlois that the House again consider the same subject matter as was considered when HB 388 was indefinitely postponed. Takes a 2/3's vote.

Reps. Angus and Hackler spoke against the motion.

(discussion ensued)

Rep. Logan requested a division.

12 members having voted in the affirmative and 303 in the negative the motion lost.

The resolution was adopted.

#### COMMITTEE REPORTS CONTINUED

##### HB 376

relative to horse and dog racing. Inexpedient to legislate;



indefinite postponement by other legislation. Rep. Ratoff for Ways and Means.

Report was accepted.

Rep. Newell requested unanimous consent to address the House.

Such consent being granted, Rep. Newell addressed the House.

(Re. Congratulating Remick Leighton who is retiring)

### RECONSIDERATION

Rep. Nixon, having voted with the majority, moved that the House reconsider its action whereby it killed HB 374, establishing a woman's division within the department of labor, and spoke in favor of the motion.

Rep. Cares spoke in favor of the motion.

At the request of Rep. Alice Davis, Rep. Cares answered a question.

Rep. O'Neil spoke in favor of the motion.

At the request of Rep. Kopperl, Rep. O'Neil answered a question.

Rep. O'Neil moved that HB 374 be recommitted to Labor, Human Resources and Rehabilitation.

Motion adopted by vv.

Rep. Stevenson introduced the following resolution:

### RESOLUTION

*Whereas*, the sponsor of House Bill No. 575 wishes to revise and reword said bill; and

*Whereas*, said bill is currently in the hands of the Supreme Court from which the house has requested an opinion as to the constitutionality of said bill; and

*Whereas*, the only way for the sponsor to revise said bill is to respectfully request its return from the Court; now therefore be it

*Resolved*, that the House of Representatives does hereby rescind its action whereby it requested the Supreme Court for



an opinion as to the constitutionality of said bill and hereby respectfully withdraws its request for said opinion.

*Be it further resolved* that the speaker transmit seven copies of this resolution to the Clerk of the Supreme Court.

The Clerk read the Resolution in full.

Resolution adopted by vv.

### COMMITTEE REFERENCE

Rep. Coggeshall moved that the order whereby HB 636, relative to the form of government of the town of Newport, was referred to the Newport Delegation be vacated and be referred to Municipal and County Government, and spoke in favor of the motion.

Motion adopted by vv.

The Chair called for bills due for report under Rule 56.

Rep. Dame moved that HB 300, providing for salaries for sheriff and deputy sheriffs of Rockingham County, be made a special order for 11:01 Tuesday next.

Motion adopted by vv.

HB 291, increasing the appropriation for town road aid, and HB 292, increasing the appropriation for class V maintenance money, were granted a six-day extension.

HB 324, relative to the content of permits for driveways will be on the calendar tomorrow.

### PARLIAMENTARY INQUIRY

Rep. Bednar rose on a point of parliamentary inquiry.

The Chair stated that under Rule 58 he intends to do the same as in Rule 57, Ways and Means will be instructed to bring all bills to the floor of the House May 1st with schedule of what day each bill is to be heard. Schedule will be published in Journal on first regular day after May 1st.

Committee of Conference Report on Joint Rules will be on the calendar for tomorrow.

## COMMITTEE OF CONFERENCE REPORT

**Report of the Committee of Conference on Joint Rules**

The Committee of Conference to which was referred the proposed amendments to the Joint Rules, having considered the same report the same with the following recommendations:

That the House recede from its position of adopting its amendments to the Joint Rules; that the Senate recede from its position of nonconcurrence with the House amendments; that the Senate recede from its position of adopting its amendments to the proposed rules and that the House and Senate each adopt the following amendments to the Joint Rules:

That Joint Rule 12 be amended by striking out the same and inserting in place thereof the following:

12. Each body shall take final action on all bills that originate therein not later than June 15th. The nonoriginating body shall take final action on all referred bills not later than June 25th, provided that if any bill is sent to a committee of conference further action may be taken subsequent to said date by the House and Senate.

That Joint Rule 20 be amended by striking out the same and inserting in place thereof the following:

20. Concurrent Resolutions Proposing Constitutional Amendments. Proposed constitutional amendments shall be submitted as concurrent resolutions entitled: "Concurrent Resolution proposing a Constitutional Amendment Relating to \*\*\*", and with a resolving clause in the following form: "Be it Resolved by the (Senate) (House of Representatives) the (House of Representatives) (Senate) concurring, that the Constitution of New Hampshire be amended as follows:" Concurrent resolutions proposing a constitutional amendment shall truly propose to amend or supplement the Constitution and contain only subject matter which genuinely belongs in the fundamental law of the state: it being the intention of this rule to exclude therefrom all subject matter which is legislative in nature and all questions which are submitted under the guise of constitutional amendments for the primary purpose of obtaining a popular referendum. Each concurrent resolution shall set forth the text of the new matter to be inserted in the Constitution and also the text of a question summarizing the amendment, to

appear on the ballot proposing such constitutional amendment, shall specify the particular general election at which such question is to be submitted to the voters, and shall state whether it is to appear on the regular or a separate ballot. All such concurrent resolutions shall be read a first and second time by title and referred to the appropriate standing committee for public hearing and report. Amendments to such a resolution shall be in order while the measure is still on second reading. On the question of ordering such a resolution to third reading and on the question of final passage, the President and Speaker shall require a division vote unless a roll call is recorded under the rules and completed, adoption of either of said questions shall require a vote of three-fifths of the entire membership of each house. In case of disagreement between the two bodies, such concurrent resolutions shall be subject to the usual conference committee procedure. Such concurrence resolution, if adopted by the required constitutional majority of each body, shall be engrossed in the usual form and signed by the Speaker and the President, and shall be submitted to the Secretary of State for appropriate action and for submission to the voters. Such concurrent resolutions shall be made a part of the permanent legislative records.

That the Joint Rules be amended by inserting after Joint Rule 20 the following new Joint Rules:

21. A concurrent resolution proposing a constitutional amendment, as provided by Rule No. 20, shall be read into the Senate or House where it originates not later than the first day of March first following the assembly of any General Court. All hearings on such resolutions may be held jointly as provided under Joint Rule 16 by the appropriate standing committees of the Senate and House providing that in the event the resolution is amended in the first body and the second body chooses to have a second hearing this too may be joint. The committee vote on the resolution shall be by each committee and not by the committees jointly and passage in final form shall be completed by both bodies not later than the last legislative day of April of the calendar year in which the resolution was introduced. After said date in April no further action may be taken by either house on the resolution provided that if in the opinion of the attorney general, or an advisory opinion from the supreme court states that, the form of the question in the resolution needs to be amended, the two bodies may amend the

resolution in such particular only by affirmative vote of no less than three-fifths of the entire membership of each house taken on division or roll call vote. A motion to so amend shall be in order in either body, notwithstanding any other rule to the contrary, at any time prior to the prorogation of the assembly of that General Court.

22. Any bill making appropriation for the administration, operation and maintenance of any department or departments for each or any fiscal year of the biennium, or a bill making general appropriation for the cost of land, public improvements and other capital outlays, itemized by specific projects or classes of projects of the same general character (the so-called Capital Budget Bill) shall be introduced into either the Senate or the House no later than May 1st., and the house of original introduction shall take final action on any such bill and it shall be entered into the second house no later than June 1st. The second house shall take final action on any such bill no later than June 15th, provided that if any such bill is sent to a conference committee, further action may be taken subsequent to said date by the House and Senate.

23. Conference Committees on Budget Bills. The report of the conference committee on either the general appropriation bills or the capital improvements bill shall be printed in the journal or a supplement thereto before action is taken on the floor in either body on said report.

24. The report of a committee of conference on a concurrent resolution proposing an amendment to the constitution shall be first returned to that house which acceded to a request for a committee of conference. The report shall be recorded in full in the journal of that house to which it is first returned and made a special order of business at the late session of a subsequent day. After said report has been adopted by the house to which it was first returned, it shall then be transmitted to the other house for its action.

25. No Joint Rule shall be suspended unless two-thirds of the members present, in each house, voting separately, vote in favor thereof.

26. During the 1969 session only, the provisions of Joint Rule 21 requiring that concurrent resolutions proposing a constitutional amendment be introduced no later than the first day

of March, shall not be applicable to the Senate and the provision providing that such resolutions shall be passed in final form by both bodies no later than the last legislative day of April shall be extended in both houses, to the last legislative day of May.

George Gilman

Eileen Foley

Conferees on the part of the Senate

Arthur M. Drake

Jean Wallin

Norman A. McMeekin

Conferees on the part of the House

### COMMUNICATION

April 14, 1969

Hon. Marshall W. Cobleigh  
Speaker of the House  
House of Representatives  
State House  
Concord, N. H.

Dear Representative Cobleigh:

May I request your assistance in soliciting the cooperation of the members of the General Court in the free use of the New Hampshire Turnpike System. As a possible method of accomplishing this, I suggest that it might be desirable to publish a notice along the following lines in the House and Senate Journals, respectively.

"The Department of Public Works and Highways respectfully request your assistance in the use of the toll highways. Toll attendants are required to make a record of all vehicles which are accorded free passage; otherwise, any accounting of the toll receipts can only be an incomplete one."

"The attendants have been instructed to recognize your Legislative plates as a method of identifying your vehicle for free passage. To facilitate this, kindly use only the No. 1, or attended traffic lane, at each toll station. Also, please pause long enough for the attendant to recognize your Legislative number plate, either on or in your car, and wave you on."

"Thank you in advance for your cooperation."

Sincerely,

R. H. Whitaker, P. E.



On motion of Rep. O'Neil the House adjourned from the early session, and the Rules of the House were so far suspended as to permit reading of bills by title only, and that when the House adjourns today it be to meet tomorrow at 11:00 o'clock.

### LATE SESSION

### THIRD READINGS

The following bills were read a third time, passed and sent to the Senate for concurrence.

HB 497, providing for the appointment of additional deputy sheriffs on salaries in Belknap county and providing the sheriff shall fix their rate of compensation.

HB 294, constituting the Lincoln district court.

### RECONSIDERATION

Rep. McGee, having voted with the majority, moved that the House reconsider its action whereby it passed HB 294, constituting the Lincoln district court, and spoke against the motion.

Motion lost by vv.

### THIRD READINGS CONTINUED

HB 491, establishing the Rye district court.

### RECONSIDERATION

Rep. Hammond having voted with the majority, moved that the House reconsider its action whereby it passed HB 491, establishing the Rye district court, and spoke against the motion.

Motion lost by vv.

### THIRD READINGS CONTINUED

HB 558, relative to tax anticipation notes.

On motion of Rep. Coburn the House adjourned at 1:14 p.m.



*Wednesday, April 16, 1969*

The House met at 11:00 o'clock.

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

Eternal God, Thou who art the Determiner of destiny and who dost give us the dangerous gift of freedom, we pray that Thy wisdom and Christ's courage and compassion may rule our hearts and lead our lives. Where there is unrest and hatred, cruelty and injustice, darkness and despair — make us responsive to these and other needs of our society. In darkness we seek light, in fear we search for faith, and in despair we look for hope. We praise Thee, O God, for those brave men and women that risk their own safety and their own lives — here at home and in other lands — that others may enjoy freedom and dignity, responsibilities and rights, liberty and justice. We praise Thee for that gift of truth which makes life meaningful, beautiful, and worthy. As we examine the life of Thy Son, Jesus Christ, may we find our direction and purpose through the offering of our lives in public service. Amen.

## PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Pollock led the House in the Pledge of Allegiance to the Flag.

## RESOLUTION

Rep. O'Neil offered the following resolution:

*Resolved*, that in accordance with the list in the possession of the clerk, House Bills numbered 728 through 741 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.

## INTRODUCTION OF BILLS

The following bills were read a first and second time, laid on the table for printing and referred as follows:

HB 728, relative to the budget and term of office of the Belknap County Recreational Commission. (Urie of Belknap Dist. 1, deBlois of Belknap Dist. 8, Dearborn of Belknap Dist. 9 — To Belknap Delegation.)

HB 729, relative to the licensing and registration of nursing home administrators. (Clark of Strafford Dist. 4 — To Public Health, Welfare & Institutions.)

HB 730, relative to the establishment of a board of nursing home administrators. (Knight of Hillsboro Dist. 4, Carrier of Hillsboro Dist. 27, — To Public Health, Welfare & Institutions.)

HB 731, relative to the taxation of service machinery. (Bednar of Hillsboro Dist. 23 — To Municipal & County Government.)

HB 732, providing for the licensing of certain unordained clergymen to perform marriages. (Hayes of Carroll Dist. 3 — To Constitutional Revision.)

HB 733, prohibiting set offs by banks when served with trustee process. (Levesque of Strafford Dist. 13 — To Banks & Insurance.)

HB 734, requiring probationers to repay counsel fees paid by state or municipality. (Levesque of Strafford Dist. 13 — To Judiciary.)

HB 735, permitting dancing in first-class hotels and restaurants which have cocktail room licenses. (Coussoule of Rockingham Dist. 28 — To Liquor Laws.)

HB 736, relative to the sale of beverages on Sundays by restaurants. (Coussoule of Rockingham Dist. 28 — To Liquor Laws.)

HB 737, relating to the power of planning boards to promulgate subdivision regulations. (Bednar of Hillsboro Dist. 23 — To Municipal & County Government.)

HB 738, to regulate the operation of business on Sunday. (Maloomian of Strafford Dist. 6, Nixon of Hillsboro Dist. 5, Parnagian of Strafford Dist. 19, Shindledecker of Rockingham Dist. 20, Chasse of Strafford Dist. 8 — To Statutory Revision.)

HB 739, relative to restricting use of motorboats on Norway Pond in Hancock. (Daloz of Hillsboro Dist. 6 — To Resources, Recreation & Development.)

HB 740, relative to the reimbursement of towns and cities for land taken by the Franklin Flood Control Area. (Urie of Belknap Dist. 1 — To Municipal & County Government.)

HB 741, authorizing hunters with hunting dogs to post certain highways. (Theriault of Coos Dist. 9 — To Fish & Game.)

### RESOLUTION

*Whereas*, there is pending before the House of Representatives House Bill 728, An Act relative to the budget and term of the Belknap County Recreational Commission, and

*Whereas*, House Bill 728, would provide for a change in the charter of the Belknap County Recreational Commission, an incorporated body politic, by requiring that the budget shall be submitted to the county convention for approval, and by limiting members of the commission to no more than two consecutive terms, and

*Whereas*, RSA 21:5 defines the word “town” as used in the statutes to include any place incorporated or whose inhabitants are required to pay a tax, and

*Whereas*, the constitutionality of House Bill 728 has been challenged because of the provisions of Part 1, Article 39 of the Constitution of New Hampshire which requires that any law which changes the charter of a town be submitted to the voters of said town upon a referendum, and said House Bill as written contains no provision for a referendum, now therefore be it

*Resolved*, That the Justices of the Supreme Court be respectfully requested to give their opinion upon the following questions of law:

1. Does the word “town” as used in Part 1, Article 39 of the Constitution of New Hampshire have the same meaning as the statutory definition of the word “town” in RSA 21:5?

2. Does the term “town” as used in Part 1, Article 39 include the Belknap County Recreational Commission so that any change in the charter of said commission shall require a referendum?

*Be it Further Resolved* that the Speaker transmit seven copies of this resolution and of House Bill 728 to the Clerk of the Supreme Court for consideration by said Court.

\* \* \*

Resolution adopted by vv.

#### ENGROSSED BILLS COMMITTEE REPORT

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bills:

HB 47, An Act to allow greater flexibility in the use of funds appropriated for construction and equipping a health training center at the state technical institute.

HB 396, An Act relative to printing statutes.

Roxie A. Forbes  
for the Committee

#### SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in its amendment to the following Senate Bill:

SB 107, relative to the governor's commission on crime and delinquency.

#### FURTHER SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 219, enacting the Interstate Agreement on Qualification of Education Personnel.

HB 299, relative to general changes in the statutes concerning school districts.

#### FURTHER SENATE MESSAGE

The Senate refuses to concur with the House of Representatives in the passage of the following entitled joint resolution, sent up from the House of Representatives:

HJR 33, in favor of Anthony Fabrizzo.

## FURTHER SENATE MESSAGE, INTRODUCTION OF SENATE BILLS AND REFERRAL

The following Senate Bills were read a first and second time and referred as follows:

SB 63, establishing a uniform weights and measures law.  
Agriculture

SB 91, protecting rights of officials and employees at race meets from damage suits. Constitutional Revision

\* \* \*

The Speaker announced that the report of the Emergency Session Committee had been received and will be printed in today's Journal and might be brought on the floor for action tomorrow.

## REPORT OF THE EMERGENCY SESSION COMMITTEE

The Emergency Session Committee was created by the Speaker, Mr. Cobleigh, on March 4, 1969, with the appointment of five members to serve thereon. In response to its inquiry and in early deliberations concerning its function and charge, a consensus was reached that the committee should concern itself with providing a means for the leadership to communicate with members of the legislature at night and at such other times as the members are at home. It was generally felt that the committee should not concern itself with the occasion for use of such a communication facility.

It early became apparent that trying to reach the members individually, either directly or through some sort of a chain telephone call was either so time consuming (directly calling each member) or so complex (the chain telephone call) that these approaches were discarded as being cumbersome and of probably limited effectiveness.

It is felt that in most emergencies that we can foresee, the individual member will be aware that an emergency exists, though may be in doubt as to its extent. Based on this premise, your committee feels that the individual legislator may be relied upon to inquire for messages in times of emergency if a means for making such inquiry is provided.

After some review and discussion of the various communications networks available covering the state, your committee feels that a most practicable approach to communicating with members lies in the use of three existing teleprinter networks that have terminals in a number of locations about the state. Reliance will have to be placed on the individual legislator to call the terminal nearest his home and inquire for any message to legislators in times of emergency or suspected emergency. In addition, the committee feels that any emergency message should be given to the wire services for use by radio and TV stations and, should time permit, by the newspapers, in an effort to secure greater coverage and lighten the load on the teleprinter network terminals.

The three teleprinter networks that your committee suggests for this purpose are those of the National Warning System (NAWAS), the State Police, and the Department of Public Works and Highways. A message may be originated and sent simultaneously on all three of these networks, at any hour, through the State Police Headquarters in Concord. The persons having control over these teleprinter facilities have consented to their use for purposes of emergency communication with members of the legislature.

Your committee feels that having teleprinter copy available to read to those inquiring for the message is a feature of value in assuring the accuracy of the message being disseminated and a feature not characteristic of any system of chain telephone calls. It has been suggested to the committee, and the committee concurs, that to prevent unauthorized use of the facility so created, a code word or phrase be devised and known only to those operating the facility and those authorized to initiate messages upon it. The operators of the facility would be given to understand that no legislative traffic would be handled unless the code word or phrase were given at the time the message was filed.

The committee wishes to acknowledge, with thanks, the kind help given it by Mr. John T. Flanders of the Department of Public Works and Highways, Col. William R. Hall of the Civil Defense Agency, and Mr. Robert W. Rhodes of the Department of Safety.

A list of teleprinter terminals and their telephone numbers is appended to this report. It is suggested that these telephone



numbers be publicized among the members of the legislature as the numbers to call for emergency messages.

Respectfully submitted:  
 John H. Tilton, Chairman  
 Norman H. Ellms  
 Elmer L. Johnson  
 Guy J. Fortier  
 George D. Kopperl

Geo. K. 4-7-69

#### APPENDIX

If You Suspect an Emergency, Call Any One of These Numbers and Ask for Message About the Legislature.

Belknap			
Gilford	524-5841	Police Station	Via NAWAS + S P
Laconia	524-5252	Police Station	Via P W + H
Laconia	524-6667*	Highway Garage	Via State Police
Carroll			
Conway	356-5521	Hospital	Via NAWAS
	(Will be changed to Police Station April 1969)		
Moultonboro	284-6282	State Police	Via State Police
Cheshire			
Keene	352-1100	Fire Department	Via NAWAS
Keene	352-1291	Fire Department	Via NAWAS
Keene	352-2222	Police Station	Via State Police
Keene	352-3343	State Police	Via State Police
Swansey	352-2302*	Highway Garage	Via P W + H
Coos			
Berlin	752-3131	Police Station	Via NAWAS
Lancaster	788-4641	Highway Garage	Via P W + H
Twin Mountain	846-5572*	Highway Garage	Via P W + H
Twin Mountain	846-5500	State Police	Via State Police
Grafton			
Hanover	643-3424	Fire Department	Via NAWAS
Lebanon	448-3333	Police Station	Via State Police
Lebanon	448-2654*	Highway Garage	Via P W + H
Littleton	444-2137	Fire Department	Via NAWAS
Plymouth	536-1253	Fire Station	Via NAWAS
Hillsborough			
Manchester	624-4331	Police Station	Via NAWAS + S P
Nashua	883-7743	Police Station	Via NAWAS + S P
Nashua	888-2043	State Police	Via State Police
Merrimack			
Concord	225-3232	Police Station	Via State Police
Concord	271-3636	State Police	All
Franklin	934-4612	State Police	Via State Police
Hooksett	485-9526*	Highway Garage	Via P W + H

## Rockingham

Exeter	772-4711	Rockingham County Sheriff	Via State Police
Exeter	772-4371	State Police	Via State Police
Hampton	926-3333	Police Station	Via State Police
Newington	436-6748*	Highway Garage	Via P W + H
Portsmouth	436-2145	Police Station	Via NAWAS + S P
Portsmouth	436-6133	Police Station	Via NAWAS + S P
Strafford			
Dover	742-4646	Police Station	Via NAWAS + S P
Rochester	332-2354	Police Station	Via NAWAS
Sullivan			
Claremont	543-3161	Police Station	Via NAWAS + S P

\*Not Regularly Manned Nights

NAWAS==National Warning System

## COMMITTEE REPORTS

## HB 536

authorizing towns to enter into agreements with other governmental units for refuse collection and disposal. Ought to pass with amendment. Rep. Tarbell for Municipal and County Government.

## AMENDMENT

Amend the title of the bill by inserting at the end thereof the following (and the maintenance and operation of ambulances) so that said title as amended shall read as follows:

## AN ACT

authorizing towns to enter into agreements with other governmental units for refuse collection and disposal and the maintenance and operation of ambulances.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Refuse Collection and Disposal; Operation of Ambulances. Amend 53-A:3, (supp) as inserted by 1963, 275:14, by inserting at the end thereof the following new paragraphs:

XII. The construction, maintenance and operation of refuse collection and disposal.

XIII. The maintenance and operation of ambulances.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

**HB 561**

authorizing municipalities and counties to issue bonds or notes for preliminary expenses for public works or improvements. Ought to pass. Rep. Champagne for Municipal and County Government.

Ordered to third reading by vv.

**HB 603**

relative to the denominations of county bonds. Inexpedient to legislate; subject covered by other legislation. Rep. Mabel L. Richardson for Municipal and County Government.

Resolution adopted by vv.

**HB 567**

relative to the place and hours of business of tax collectors. Ought to pass with amendment. Rep. Stuart B. Allan for Municipal and County Government.

**AMENDMENT**

Amend RSA 41:35 as inserted by section 1 of the bill by inserting in line twenty after the word "business" the words (or any other place) so that said section as amended shall read as follows:

41:35 Duties of Collector. Every collector of taxes shall keep in suitable books a fair and correct account in detail of the taxes due, collected, and abated, and of all property sold for nonpayment of taxes, which books shall be public records. He shall on or before the tenth day of the following month pay over to the town treasurer all money collected by him in the preceding month and make final payment to the town treasurer of all moneys collected by him on or before December thirty-first or as soon as possible after that date. He shall submit his tax books and lists to the treasurer and selectmen for inspection and computation when requested so to do and if they discover any errors therein they shall immediately notify the town auditors thereof; and the auditors shall promptly examine the collector's records and make a written report to the selectmen and state tax commission of their findings, conclusions, and recommendations. The collector shall be at his usual place of business, or any other place, at least one day each month for at least two hours continuously for the transaction of tax business,

which time and place shall be printed upon the tax bills sent out by the collector. He shall make a written report to the town at the end of each fiscal year which shall contain the amount of the taxes committed to him to collect; the amount of taxes collected, together with interest thereon; the amount of discounts allowed; the amount of taxes abated; the total amount of uncollected taxes; and an account of all sales of real estate by him to collect taxes. Upon written request therefor the collector shall provide the selectmen with an itemized list of the uncollected taxes at the end of the fiscal year.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

**HB 607**

relative to the issuance of bond anticipation notes by counties. That it is inexpedient to legislate; subject covered by other legislation. Rep. Irene L. Reed for Municipal and County Government.

Resolution adopted by vv.

**HB 612**

relating to issuance of temporary notes in anticipation of municipal bond issues. Ought to pass. Rep. Derome for Municipal and County Government.

Ordered to third reading by vv.

**HB 324**

relative to the content of permits for driveways. Ought to pass with amendment. Rep. Trowbridge for Public Works.

**AMENDMENT**

Amend RSA 249:17, I as inserted by section I of the bill by striking out said section and inserting in place thereof the following:

I. It shall be unlawful to construct, or alter in any way that substantially affects the size or grade of any driveway, entrance, exit, or approach within the limits of the right of way of any class I or class III highway or the state maintained portion of a class II highway that does not conform to the terms and specifications of a written permit issued by the commissioner of public works and highways.

Amend the unlettered introductory sentence of RSA 249:17, II as inserted by section 1 of the bill by striking out said sentence and inserting in place thereof the following:

II. Pursuant to this section, a written application must be filed with the department of public works and highways by any abutter affected by the provisions of paragraph I. Before any construction or alteration work is commenced, said application shall have been reviewed, and approved by said department. Said permit shall:

Amend RSA 249:17, III (a) as inserted by section 1 of the bill by striking out in lines one and two of said subparagraph the words "or maintained that is" so that said subparagraph as amended shall read as follows:

(a) A driveway, entrance, exit, or approach to be constructed more than fifty feet in width, except that a driveway, entrance, exit, or approach may be flared beyond a width of fifty feet at its junction with the highway to accommodate the turning radius of vehicles expected to use the particular driveway, entrance, exit, or approach.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Application: This section shall only apply to permits issued or construction alterations commencing after the effective date of this act.

Amend the bill by inserting after section 2 the following new section:

3 Effective Date. This act shall take effect sixty days after its passage.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

#### **HB 538**

relative to lighting the dock area at Hilton state park. Ought to pass. Rep. Claffin for Resources, Recreation and Development.

Ordered to third reading by vv.

**SB 61**

providing for separate times for electing officials and voting on other articles in the warrant for town meetings. Ought to pass. Rep. Shirley for Statutory Revision.

Rep. O'Neil moved that SB 61 be placed on the table.

Motion adopted by vv.

**SB 106**

relative to penalties for operating a motor vehicle after suspension or revocation of license. Ought to pass. Rep. Parnagian for Transportation.

At the request of Rep. Merrill, Rep. Parnagian explained the bill.

Rep. A. George Manning further explained the bill.  
Ordered to third reading by vv.

On motion of Rep. Ellms, SB 61, providing for separate times for electing officials and voting on other articles in the warrant for town meetings, was removed from the table.

Ordered to third reading by vv.

**HB 543**

making appropriations for capital improvements. Ought to pass with amendment. Rep. Trowbridge for Public Works.

(See Supplement to H.J., April 10, 1969)

At the request of Rep. Newell, Rep. Trowbridge explained the bill.

(discussion ensued)

(Rep. O'Neil in the Chair)

Rep. Trowbridge yielded to Rep. Mann to answer Rep. Brummer's inquiry.

Rep. Trowbridge answered further questions.

(discussion ensued)

(Speaker in the Chair)

Rep. O'Neil spoke in favor of the amendment.

Amendment adopted by vv. Referred to Appropriations under the Rules.



## SENATE MESSAGE

The Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 81, relative to the disposition of the fees of certain bail commissioners.

## AMENDMENT

Amend the amendment by striking out section 1 of the bill and inserting in place thereof the following:

1 Disposition of Certain Fees. Amend RSA 597:20 (supp) as amended by 1965, 195:1, by striking out the same and inserting in place thereof the following: 597:20 Fees. The bail commissioners in such cases shall be entitled to a fee of two dollars when called between the hours of nine o'clock in the morning and five o'clock at night, Monday through Friday; and a fee of four dollars when called at any other time. In jurisdictions where the bail commissioner is a full time salaried police officer, constable, sheriff, deputy sheriff, state police employee, or anyone else authorized to execute police powers if at the time such a bail commissioner sets bail he is on active duty in his capacity as any of the above law enforcement officers, the fee collected shall be remitted to the town or city in which the municipal or district court is situated; but, if at the time he sets such bail he is not on active duty as such law enforcement officer, the fee shall be retained by him.

2 Effective Date. This act shall take effect sixty days after its passage.

\* \* \*

Rep. McMeekin moved that the House nonconcur in the Senate amendment and that a committee of conference be appointed.

Motion adopted by vv.

The Speaker appointed Reps. Merrill, Dawson and Sewall as conferees on the part of the House.

## COMMITTEE OF CONFERENCE REPORT ON JOINT RULES

At the request of Rep. Newell, Rep. McMeekin explained the change in the Joint Rules.

Committee of Conference Report adopted by vv.

\* \* \*

On motion of Rep. O'Neil, the House adjourned from the early session, in memory of Robert L. Knight, Jr. of Bennington who was killed in Viet Nam yesterday, and that the Rules of the House be so far suspended as to permit the reading of bills by title only, and that when the House adjourns today it be to meet tomorrow at 11:00 o'clock.

## LATE SESSION THIRD READINGS

The following bills were read a third time, passed and sent to the Senate for concurrence.

HB 536, authorizing towns to enter into agreements with other governmental units for refuse collection and disposal, and the maintenance and operation of ambulances.

HB 561, authorizing municipalities and counties to issue bonds or notes for preliminary expenses for public works or improvements.

HB 567, relative to the place and hours of business of tax collectors.

HB 612, relating to issuance of temporary notes in anticipation of municipal bond issues.

HB 324, relative to the content of permits for driveways.

HB 538, relative to lighting the dock area at Hilton state park.

The following Senate Bills were read a third time, passed, and sent to the Secretary of State to be engrossed.

SB 106, relative to penalties for operating a motor vehicle after suspension or revocation of license.

SB 61, providing for separate times for electing officials and voting on other articles in the warrant for town meetings.

The Speaker announced that today is the 80th birthday of Rep. Bushey who has had 8 consecutive terms of perfect attendance.

\* \* \*

On motion of Rep. Aucella the House adjourned at 12:16 P.M. in memory of Robert L. Knight, Jr. of Bennington who was killed in Viet Nam yesterday.

---

## *Thursday, April 17, 1969*

The House met at 11:00 o'clock.

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

O SPIRIT of WISDOM and TRUTH, guide our Governor and all in government that they may direct our State into the ways of justice, freedom, and peace. Come Thou near every soul turning toward Thee, and draw near to every soul that has forgotten Thee, or disbelieves in Thee, or thinks he cannot love Thee. Generate in any who feel their weakness, the power they need to live well. In flame with love each of us who feels unloved, or unlovable, or filled with jealous, hateful, suspicious thoughts. Breathe into every soul who may be quick to judge others harshly, or swift to exercise his power unfairly, Thy gentleness. Give life to those who are sick in body, mind or spirit. Entrusted, as we are, with the responsibilities of government, empower us to set the example before our fellow men, being courageous in our decisions and true to Thy Divine Purpose — In Jesus' Name we pray. Amen.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. D'Amante led the House in the Pledge of Allegiance to the Flag.

### LEAVES OF ABSENCE

Rep. Danielchik was granted leave of absence for the day on account of illness in the family.

## RESOLUTION

Rep. O'Neil offered the following resolution:

Resolved, that in accordance with the list in the possession of the clerk, House Bills numbered 742 through 749 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.

## INTRODUCTION OF BILLS

The following bills were read a first and second time, laid on the table for printing and referred as follows:

HB 742, relative to the power of the Concord Commercial College to grant certain degrees. (MacKenzie of Cheshire Dist. 16 — To Education.)

HB 743, permitting the purchase of firearms in contiguous states. (Maynard of Rockingham Dist. 24 — To Constitutional Revision.)

HB 744, relative to tailgating. (Forbes of Cheshire Dist. 3 — To Transportation.)

HB 745, eliminating the prohibition against a holder of a New Hampshire operator's license also holding one from another state. (Sayer of Rockingham Dist. 7 — To Transportation.)

HB 746, to allow the carrying of drinks by patrons in cocktail lounges. (MacKenzie of Cheshire Dist. 16 — To Liquor Laws.)

HB 747, relative to junk yards. (Trowbridge of Cheshire Dist. 4 — To Public Works.)

HB 748, to authorize the sale of liquor and beverages in taverns. (MacKenzie of Cheshire Dist. 16 — To Liquor Laws.)

HB 749, relative to investments of town trustees. (Frizzell of Sullivan Dist. 7 — To Judiciary.)

## SENATE MESSAGE, INTRODUCTION OF SENATE BILLS, CA-CR 20 AND REFERRAL

The following Senate Bills and CA-CR 20 were read a first and second time and referred as follows:

SB 94, requiring competitive bidding on purchases by a county. Municipal & County Government

SB 126, allowing all prisoners to be eligible for a reduction in their minimum sentence for meritorious conduct. Labor, Human Resources and Rehabilitation

SB 127, allowing the reduction of a maximum sentence while on parole. Labor, Human Resources and Rehabilitation

SB 128, relative to time served by a prisoner upon violation of parole. Labor, Human Resources and Rehabilitation

SB 110, relative to the calling of special meetings of co-operative school districts. Municipal & County Government

CA-CR 20, Relating to: A Graduated Income Tax. Providing that: the Legislature may impose a Graduated Income Tax. Constitutional Revision

## FURTHER SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 63, relative to court terms in Grafton County.

HB 69, establishing the New London district court.

HB 239, relating to the appropriation for marine fisheries division of the fish and game department for the fiscal year ending June 30, 1969.

HB 497, providing for the appointment of additional deputy sheriffs on salaries in Belknap county and providing the sheriff shall fix their rate of compensation.

## FURTHER SENATE MESSAGE

The Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 309, relative to county bonds and notes.

### AMENDMENT

Amend the title of the bill by striking out the same and inserting in place thereof the following:

### AN ACT

relative to county bonds and notes.

Amend section 2 of the bill by adding at the end thereof the following sentence: (Any bond sold under the provisions of this chapter shall not be sold for less than par.) so that said sentence, as amended, shall read as follows:

2 Methods of Sale. Amend RSA 28:24 by striking out said section and inserting in place thereof the following: 28:24 Sale. All county bonds and notes shall be sold (1) at public sealed bidding, (2) only after an advertisement calling for bids has been published at least once in each of two successive calendar weeks in a newspaper of general circulation in the state of New Hampshire, and (3) to the highest bidder. Provided, however, that the county commissioners may reject any and all bids and may negotiate for said sale upon terms which they may deem most advantageous to the county. Any bond sold under the provisions of this chapter shall not be sold for less than par.

On motion of Rep. Hanson the House nonconcurrent in the Senate amendment and a committee of conference was appointed; the Speaker appointed Reps. Hanson, Sheldon Barker and Bednar as conferees on the part of the House.

### FURTHER SENATE MESSAGE

The Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill:

HB 187, relative to acceptance of federal funds by fish & game department.  
and the President has appointed as members of said Committee on the part of the Senate: Sens. Mason and Bourque.



## FURTHER SENATE MESSAGE

The Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled Conference report on the Joint Rules.

## COMMITTEE OF CONFERENCE REPORT

The Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 133, prohibiting motorboats on Willard Pond in Antrim.

The Committee of Conference to which was referred HB 133, having considered the same, report the same with the following recommendations:

That the Senate recede from its position of adopting its amendment and that the House recede from its position of nonconcurrence with the Senate amendment and in the adoption of its amendment, and that both the House and Senate adopt the following amendment to the bill:

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Willard Pond. Amend RSA 486 by inserting after section 7 the following new section: 486:8 Willard Pond. On or after the date of the passage of this act, no person shall use or operate any motorboat or other boat equipped with a motor of greater than six horsepower, or at greater than trolling speed, upon the waters of Willard Pond in the town of Antrim. Whoever violates any of the provisions of this section shall be fined not more than fifty dollars.

2 Effective Date. This act shall take effect sixty days after its passage.

Charles F. Armstrong

Elmer Bourque

Conferees on the part of the Senate

Edward R. Danielchik

Albert Daloz

Otto H. Oleson

Conferees on the part of the House

On motion of Rep. Daloz the Committee of Conference report was adopted.

### COMMITTEE REPORTS

#### HB 560

to provide for liability of lending institutions for damage due to title defects not discovered by title abstractors employed by said institutions. Inexpedient to legislate. Rep. Bigelow for Banks and Insurance.

Resolution adopted by vv.

#### HB 595

prohibiting the varying rates for motor vehicle liability insurance based solely on age groups. Inexpedient to legislate. Rep. Lang for Banks and Insurance.

Resolution adopted by vv.

#### SB 77

to extend the amount and repayment time of loans and to provide for unsecured loans for any purpose made by cooperative banks and building and loan associations. Ought to pass with amendment. Rep. Bigelow for Banks and Insurance.

### AMENDMENT

Amend RSA 393:15-a, II as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

II. In loans on improved real estate for the purpose of financing the repair, alteration, improvement or rehabilitation without the additional security of a lien upon such real estate; Provided that (a) the loan association or cooperative bank is the holder of the first mortgage upon the property to be improved; (b) the net proceeds of any such loan do not exceed five thousand dollars; (c) each such loan is evidenced by one or more negotiable notes; (d) each loan is repayable on demand or in regular monthly installments within a period of seven years.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

**HB 485**

increasing the salary of the Belknap county attorney. Ought to pass with amendment. Rep. Normandin for Belknap Delegation.

**AMENDMENT**

Amend section 1 of the bill by striking out in line three the word "six" and inserting in place thereof the word (five) so that said section as amended shall read as follows:

1 Salary Increased. Amend RSA 7:35, I (supp) as inserted by 1969, 30:1 by striking out said paragraph and inserting in place thereof the following: I. In Belknap, five thousand dollars.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Effective Date. This act shall take effect January 1, 1970.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

**HB 508**

increasing the salary of Cheshire county commissioners. Ought to pass with amendment. Rep. Sheldon Barker for Cheshire County Delegation.

**AMENDMENT**

Amend the title of the bill by inserting after the word "commissioners" the words (and empowering the Cheshire County Convention to set the salaries of certain county officers) so that said title as amended shall read as follows:

**AN ACT**

increasing the salary of Cheshire county commissioners and empowering the Cheshire County Convention to set the salaries of certain county officers.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Cheshire County Attorney. Amend RSA 7 by inserting after section 35 (supp) the following new section: 7:35-a Cheshire County Attorney. The annual salary of the Cheshire county

attorney shall be established by the Cheshire county convention prior to each biennial primary election at a rate of not less than forty-five hundred dollars and shall become effective on January 1 following said election.

2 Cheshire County Treasurer. Amend RSA 29 by inserting after section 14 (supp) the following new section: 29:14-a Cheshire County Treasurer. The annual salary of the Cheshire county treasurer shall be established by the Cheshire county convention prior to each biennial primary election at a rate of not less than four hundred dollars and shall become effective on January 1 following said election.

3 Cheshire County Commissioners. Amend RSA 28 by inserting after section 28 (supp) the following new section: 28:28-a Cheshire County Commissioners. The annual salary of the Cheshire county commissioners shall be established by the Cheshire county convention prior to each biennial primary election at a rate of not less than three thousand dollars and shall become effective on January 1 following said election.

4 Cheshire County Sheriff. Amend RSA 104:29, IV (supp) as inserted by 1965, 190:1 by inserting in line one after the word "be" the words (set by the Cheshire county convention at a rate of not less than) so that said paragraph as amended shall read as follows: IV. In Cheshire the annual salary of the sheriff shall be set by the Cheshire county convention at a rate of not less than nine thousand five hundred dollars which shall be paid monthly. Said salary shall be payment in full for all his services to the county. The county shall provide him with suitable transportation and he shall not be allowed the established rates for mileage allowable to other sheriffs. He shall be allowed reasonable expenses incurred during the performance of his duties and such expenses shall be subject to the approval of a justice of the superior court. For the service of civil writs and other process which he may perform he shall collect the usual fees allowed for such services and mileage and shall pay over directly to the county treasurer all such fees and mileage charges at the end of each month. He shall in his annual report to the county commissioners report the number of civil writs and other process served and the total amounts collected in fees and mileage charges paid over to the treasurer during the calendar year.

5 Salary Increased. Amend RSA 28:28, III (supp) as inserted by 1969, 30:3 by striking out said paragraph and inserting

in place thereof the following: III. In Cheshire, three thousand dollars.

**6 Repeal.**

I. RSA 7:35, III (supp) as inserted by 1969, 30:1 relative to the salary of the Cheshire county attorney is hereby repealed.

II. RSA 29:14, III (supp) as inserted by 1969, 30:2 relative to the salary of the Cheshire county treasurer is hereby repealed.

III. RSA 28:28, III (supp) as inserted by 1969, 30:3 relative to the salary of the Cheshire county commisioners is hereby repealed.

7 Effective Date. Section 6 of this act shall take effect January 1, 1971 and the remainder of this act shall take effect sixty days after its passage.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

**CA-CR 18**

relating to compensation of the Legislature. Providing that each General Court shall determine the compensation to be paid to the succeeding General Court and Legislators shall be allowed their reasonable and necessary expenses. That it is inexpedient to legislate; subject covered by other legislation.

Resolution adopted by vv.

**HB 357**

providing shift differential compensation for state employees and making an appropriation therefor. Ought to pass with amendment. Rep. Cate for Labor, Human Resources and Rehabilitation.

**AMENDMENT**

Amend the bill by striking out sections 1 and 2 and inserting in place thereof the following:

1 Differential. Amend RSA 99 by inserting after section 9 (supp) the following new section: 99:10 Shift Differential. All classified state employees who are employed at the New Hampshire Hospital, Laconia State School, State Sanatorium, the

State Industrial School, the State Prison and the Soldiers Home (including supervisors and professional employees) who are assigned to duty on a regularly scheduled night shift shall be paid therefor ten cents per hour in excess of the regular hourly rate. For the purposes of this section, a "night shift" shall mean one which includes four or more hours of regularly scheduled duty, in lieu of a day shift, between the hours of three o'clock in the afternoon and eight o'clock in the morning.

2 Appropriation. There is hereby appropriated for the purposes of this act the sum of one hundred fifty thousand, nine hundred and sixty-four dollars for the fiscal year ending June 30, 1970 and a like sum for the year ending June 30, 1971.

\* \* \*

Amendment adopted by vv. Referred to Appropriations under the Rules.

**HB 461**

establishing the governor's committee on employment of the handicapped and making an appropriation therefor. Ought to pass. Rep. Cochrane for Labor, Human Resources and Rehabilitation.

Referred to Appropriations under the Rules.

**HB 518**

providing insurance equality for chiropractors, osteopaths, optometrists, and podiatrists. Ought to pass. Rep. Harold Drew for Public Health, Welfare and State Institutions.

At the request of Rep. Mackintosh, Rep. Cleon Heald explained the bill.

(discussion ensued)

Ordered to third reading by vv.

**HB 542**

to incorporate New Hampshire Vision Service Corporation. Ought to pass. Rep. Bernard for Public Health, Welfare and State Institutions.

Ordered to third reading by vv.



## RECONSIDERATION

Rep. Harriet Richardson, having voted with the majority, served notice that today or some subsequent day she would ask for reconsideration of HB 518, providing insurance equality for chiropractors, osteopaths, optometrists, and podiatrists, and subsequently withdrew her notice of reconsideration.

## COMMITTEE REPORTS CONTINUED

**HB 599**

providing for the acquisition of real property by the state for the improvement and development of existing air navigation facilities. Ought to pass with amendment. Rep. Carter for transportation.

## AMENDMENT

Amend RSA 422:14 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

422:14 Powers and Duties of Director. The director shall be the executive officer of the commission, and under the supervision of the commission, shall administer the provisions of this chapter and all the laws of the state relative to aeronautics. The director, with the approval of the commission, and within the limits of the appropriation may hire field and office assistants necessary for the proper execution of his duties. The director shall exercise general supervision, control, and direction on behalf of the state, over all matters pertaining to the location, construction, and maintenance of all air navigation facilities now or hereafter built or maintained, either in whole or in part, with money appropriated from the state treasury. He may recommend to the governor and council that the state acquire land, easements, and rights of way for the establishment, development or improvement of air navigation facilities. Such land, easements, and rights of way may be acquired by purchase, grant or condemnation in the manner provided by law by which the governor and council are authorized to acquire real property for public purposes, and property so acquired may be conveyed to a town for use in connection with the establishment, development or improvement of air navigation facilities for such a consideration as the governor and council may determine. The director shall be the coordinating

authority for all agencies and persons participating in aircraft search and rescue missions within the state. Any agency, organization or person wishing to participate in aircraft search and rescue mission shall apply for and receive authority from the director to participate and such authority shall be subject to such terms, conditions and instructions as the director may deem appropriate. The director is authorized to reimburse aircraft owners for actual costs of aircraft operation during authorized aircraft search and rescue missions. The director or his authorized representative shall be responsible for the investigation of all civil aircraft accidents occurring within the state. Prior to the time the authorized representative of the Federal agency responsible for the investigation of an aircraft accident arrives to take custody of the aircraft wreckage, no person shall touch, tamper with, or remove any part of such aircraft wreckage or property aboard without express approval of the director or his authorized representative, except where necessary to remove persons injured or trapped. If any one or more of the provisions of this section is held invalid, the validity of the remaining provisions shall not be affected thereby.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Effective Date. This act shall take effect upon passage.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

### **HB 600**

exempting funeral processions from paying tolls. Ought to pass. Rep. Coutermarsh for Transportation.

Rep. Wilfrid Boisvert moved that HB 600 be indefinitely postponed and spoke in favor of the motion.

Reps. Coutermarsh and Robert Dion spoke against the motion.

Motion lost by vv.

Ordered to third reading by vv.

### **HB 611**

relative to the transportation of junk motor vehicles. Ought to pass. Rep. Shute for Transportation.

Ordered to third reading by vv.

The Speaker called for HB 364 under Rule 56.

**HB 364**

relative to educational leave in the department of health and welfare.

Rep. Cochrane moved that HB 364 be reported inexpedient to legislate and spoke in favor of the motion.

At the request of Rep. O'Neil, Rep. Cochrane explained the bill.

(discussion ensued)

Rep. Sheldon Barker moved that the words "ought to pass" be substituted for "inexpedient to legislate" and spoke in favor of the motion.

(discussion ensued)

Rep. MacDonald moved that HB 364 be made a special order of business for 11:01 Wednesday next and spoke in favor of the motion.

Motion adopted by vv.

**SENATE MESSAGE**

The Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

\* \* \*

HB 86, relative to fees in the superior court.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Effective Date. This act shall take effect January 1, 1970.

On motion of Rep. Frizzell the House concurred in the Senate amendment

**INTRODUCTION OF A BILL**

HB 750, relative to rooms and meals tax, was read a first and second time and referred to Ways and Means.

## COMMITTEE CHANGE

Rep. Julia White has been appointed to serve on the Committee on Statutory Revision and has relinquished her place on the Executive Departments and Administration Committee.

Rep. Battenfeld has been appointed to serve on the Committee of Education.

\* \* \*

On motion of Rep. O'Neil, the House adjourned from the early session, and the Rules of the House were so far suspended as to permit the reading of bills by title only, and that when the House adjourns today it be to meet Tuesday next at 11:00 o'clock.

LATE SESSION  
THIRD READINGS

The following bills were read a third time, passed and sent to the Senate for concurrence.

HB 485, increasing the salary of the Belknap county attorney.

HB 508, increasing the salary of Cheshire county commissioners and empowering the Cheshire County Convention to set the salaries of certain county officers.

HB 518, providing insurance equality for chiropractors, osteopaths, optometrists, and podiatrists.

HB 542, to incorporate New Hampshire Vision Service Corporation.

HB 599, providing for the acquisition of real property by the state for the improvement and development of existing air navigation facilities.

HB 600, exempting funeral processions from paying road tolls.

HB 611, relative to the transportation of junk motor vehicles.

The following Senate Bill was read a third time, passed and sent to the Senate for concurrence in the House amendment.

SB 77, to extend the amount and repayment time of loans and to provide for unsecured loans for any purpose made by cooperative banks and building and loan associations.

\* \* \*

On motion of Rep. Fortier the House adjourned at 12:18 P.M.

---

## *Tuesday, April 22, 1969*

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain Rev. Jack Wyrzten of the "Word Of Life Fellowship" of New York City, courtesy of Rep. C. Edwin Howard, District No. 26, Concord.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Kimball led the House in the Pledge of Allegiance to the Flag.

### LEAVES OF ABSENCE

Reps. Mabel Richardson and Stuart Allan were granted leave of absence for the week on account of illness.

Rep. Thomas Manning was granted leave of absence for the day on account of illness.

Rep. Vallee was granted leave of absence for today and Wednesday on account of illness in the family.

Reps. Battenfeld, Tracey and Harold Drew were granted leave of absence for the week on account of important business.

Reps. Stimmell and Knight were granted leave of absence for today and Wednesday on account of important business.

\* \* \*

### COMMITTEE REPORTS

On motion of Rep. Underwood the order whereby HB 702, to provide monetary sanction provisions for violation of stat-

utes and regulations pertaining to gas pipelines, was referred to Agriculture be vacated and the bill referred to Municipal and County Government.

## RESOLUTION

Rep. Stafford offered the following resolution:

*Resolved*, that in accordance with the list in the possession of the clerk, House Bills numbered 753 through 758 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.

## INTRODUCTION OF BILLS

The following bills were read a first and second time, laid on the table for printing and referred as follows:

HB 753, requiring a pharmacists license be issued to Francis McNeil. (Ratoff of Rockingham Dist. 20 — To Public Health, Welfare & Institutions.)

HB 754, relative to the general duties of the city clerk of Nashua, and board of health and welfare. (Bouchard of Hillsboro Dist. 14 — To Nashua Delegation.)

HB 755, exempting persons in the business of second mortgage loans from the provisions of the small loans statute. (Reddy of Merrimack Dist. 5 — To Banks & Insurance.)

HB 756, relative to non-resident registration of snow traveling vehicles. (Bridges of Hillsboro Dist. 13 — To Judiciary.)

HB 757, relative to the conversion of the Plymouth area school plan to a cooperative school district. (Sears of Grafton Dist. 18 — To Education.)

HB 758, to prohibit the doping and stimulating of animals engaged in pulling contests. (Johnson of Cheshire Dist. 9 — To Agriculture.)



## REPORT OF COMMITTEE ON ENGROSSED BILLS

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bills and Senate Bills:

HB 63, An Act relative to court terms in Grafton county.

HB 69, An Act establishing the New London district court.

HB 86, An Act relative to fees in the superior court.

HB 106, An Act relative to construction of sewage disposal systems near shorelines.

HB 219, An Act enacting the Interstate Agreement on Qualification of Educational Personnel.

HB 299, An Act relative to general changes in the statutes concerning school districts.

HB 497, An Act providing for the appointment of additional deputy sheriffs on salaries in Belknap county and providing the sheriff shall fix their rate of compensation.

SB 61, An Act providing for separate times for electing officials and voting on other articles in the warrant for town meetings.

SB 106, An Act relative to penalties for operating a motor vehicle after suspension or revocation of license.

SB 107, An Act relative to the governor's commission on crime and delinquency.

HB 239, An Act relating to the appropriation for marine fisheries division of the fish and game department for the fiscal year ending June 30, 1969.

Roxie A. Forbes  
for the Committee

## SENATE MESSAGE

The Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill:

HB 81, relative to the disposition of the fees of certain bail commissioners

and the President has appointed as members of said Committee on the part of the Senate: Sens. Mason and Leonard.

### FURTHER SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

HB 106, relative to construction of sewage disposal systems near shorelines.

### SENATE MESSAGE, INTRODUCTION OF SENATE BILL AND REFERRAL

The Senate has passed the following entitled bill, in the passage of which it asks the concurrence of the House of Representatives:

SB 158, establishing a state commission on the status of women.

The Senate Bill was read a first and second time and referred to the Committee on Labor, Human Relations and Rehabilitation.

### COMMITTEE REPORTS

#### CA-CR 22

relating to the Hillsborough county attorney. Providing that the County Attorney in Hillsborough County shall be called a District Attorney. Inexpedient to legislate. Rep. Dudley for Constitutional Revision.

Rep. Sweeney moved that CA-CR 22 be made a Special Order of Business at 11:01 on Thursday next and spoke in favor of the motion.

Motion adopted by vv.

#### HB 548

relating to the retirement of judges of the probate courts who are permanently disabled. Ought to pass with amendment. Rep. Capistran for Judiciary.

### AMENDMENT

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Judge of Probate; Permanent Disability; Appointment of Successor. Amend RSA 547 by inserting after section 19 the following new section: 547:19-a Retirement Due to Disability. Notwithstanding any other provisions of law, any judge of probate who shall become unable to perform his duties because of permanent disability shall be retired from regular active service on the bench for the remainder of his term. Any such judge who desires to retire because of inability to perform his duties shall certify to the governor and council his disability to perform his duties. If they find him unable to perform his duties because of permanent disability, the governor and council shall order his retirement from regular active service. If a judge of probate who is permanently disabled to perform his duties shall be unable or unwilling to certify his disability, any three justices of the probate court shall certify in writing his disability to the governor and council, who shall, if they find him after due notice and hearing, unable to perform his duties because of permanent disability, order his retirement from regular active service. The governor and council upon retirement of any such judge of probate as provided herein shall appoint a successor to serve out the remainder of the term. Any judge of probate who has served in such capacity for a period of at least ten years in said office, retired from regular active service because of permanent disability, shall receive during the remainder of his term a salary equal to one-half the salary being paid to him at the time of his retirement, except in case of his election to take other retirement benefits as hereinafter provided. Any judge retired from active regular service under the provisions hereof who is also a member of the state employees' retirement system or the New Hampshire retirement system shall be entitled to retire with disability benefits under either of said systems, upon notification to the retirement board. If, however, said judge elects to take payments under the provisions of this section he shall thereby forfeit all rights to any benefits provided under said employees' or New Hampshire retirement system.

Amendment adopted and the bill ordered to third reading by vv.

#### **HB 549**

relating to arrest without a warrant. Ought to pass. Rep. Palmer for Judiciary.

Ordered to third reading by vv.

**HB 646**

relative to coordinating apprenticeship programs and agreements with related courses of instruction established by the state board of education. Ought to pass. Rep. C. Edwin Howard for Labor, Human Resources and Rehabilitation.

Ordered to third reading by vv.

**HB 556**

increasing the allowable town appropriation for Memorial Day Purposes. Ought to pass with amendment. Rep. Hanson for Municipal and County Government.

**AMENDMENT**

Amend the title of the bill by striking out the same and inserting in place thereof the following:

**AN ACT**

increasing the allowable town and city appropriations for certain holidays.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 City Councils. Amend RSA 31:6 by striking out in line two the words "five hundred" and inserting in place thereof the words (two thousand) and by inserting in line four after the word "Day" the words (Veterans Day) so that said section as amended shall read as follows: 31:6 — For Holidays. City councils may, at any legal meeting, grant and vote money, not exceeding two thousand dollars, for providing municipal Christmas trees or for public patriotic exercises for Memorial Day, Independence Day, Veterans Day or other holidays.

Amend the bill by inserting after section 2 the following new section:

3 Effective Date. This act shall take effect upon its passage.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

**HB 604**

enabling all county commissioners to employ clerks and

agents. Ought to pass. Rep. Stimmell for Municipal and County Government.

Ordered to third reading by vv.

**HB 605**

relative to certain statistics in the annual report of county officers. Inexpedient to legislate. Rep. Randlett for Municipal and County Government.

Resolution adopted by vv.

**HB 514**

defining the method of apportioning costs for the relocation of highways caused by small-watershed projects. Ought to pass. Rep. Esther Davis for Public Works.

Ordered to third reading by vv.

**HB 643**

classifying certain highways in the towns of Albany and Bartlett as class II highways. Ought to pass. Rep. McGee for Public Works.

Ordered to third reading by vv.

**HB 633**

relative to emergency lights on motor vehicles. Ought to pass. Rep. Hamel for Transportation.

Ordered to third reading by vv.

The Speaker called for the Special Order for 11:01 on HB 300, providing for salaries for sheriff and deputy sheriffs of Rockingham county.

Inexpedient to legislate.

Resolution adopted by vv.

The Speaker called for HB 416, relative to salaries of Hillsborough county sheriff and deputy sheriffs, under Rule 56.

Rep. Aucella moved that HB 416 be made a Special Order of Business for 11:02 Thursday next.

Motion adopted by vv.

The Speaker called for CA-CR 23, Relating To: Authorization by the legislature of the issuance or of any bonds or notes which are backed by the State's Credit. Providing That: a two thirds vote of the membership of both houses of the legislature

is necessary to pass an act relating to the issuance or guaranteeing of bonds or notes backed by state credit, under Rule 56.

Rep. Aucella moved that CA-CR 23 be made a Special Order of Business for 11:03 Thursday next.

Motion adopted by vv.

HB 416, relative to salaries of Hillsborough county sheriff and deputy sheriffs was granted a six day extension.

HB 445, relative to dangerous sexual offenders, was granted a six day extension.

\* \* \*

Rep. Coutermarsh requested unanimous consent to address the House. Such consent being granted, Rep. Coutermarsh addressed the House, regarding the death of Lou Smith.

Rep. Merrill requested unanimous consent to address the House. Such consent being granted, Rep. Merrill addressed the House regarding cut in U.N.H. budget.

\* \* \*

On motion of Rep. Stafford the House adjourned from the early session, and the Rules of the House were so far suspended as to permit the reading of bills by title only, and that when the House adjourns today it be to meet tomorrow at 11:00 o'clock.

Rep. Stafford announced that Rep. George Head celebrated a birthday last week.

\* \* \*

#### COMMITTEE CHANGES

Rep. Battenfeld has been relieved from serving on Constitutional Revision Committee.

Rep. Randall has been appointed to the committee on Fish and Game.

#### LATE SESSION THIRD READINGS

The following bills were read a third time, passed and sent to the Senate for concurrence.



HB 548, relating to the retirement of judges of the probate courts who are permanently disabled.

HB 549, relating to arrest without a warrant.

HB 646, relative to coordinating apprenticeship programs and agreements with related courses of instruction established by the state board of education.

HB 556, increasing the allowable town and city appropriations for certain holidays.

HB 604, enabling all county commissioners to employ clerks and agents.

HB 514, defining the method of apportioning costs for the relocation of highways caused by small-watershed projects.

HB 643, classifying certain highways in the towns of Albany and Bartlett as class II highways.

HB 633, relative to emergency lights on motor vehicles.

\* \* \*

On motion of Rep. Higgins the House adjourned at 11:48 in memory of Judge and Mrs. MacKay of North Woodstock who were killed in a plane crash over the week-end.

---

*Wednesday, April 23, 1969*

The House met at 11:00 o'clock.

(Rep. O'Neil in the Chair)

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

O GOD our Father, who hears our prayers and grants our desires according to Thy Love and Wisdom, purge our lives from all transgressions and fill them with righteousness. May our prayers be bound up and blended with the prayers of all

good men everywhere as Thy will and purpose for us becomes our own. This day we would join with others across our State whose hearts are heavy with grief and laden with sorrow at the recent loss of several young "Granite Staters" in Viet Nam. Interpret our concern for justice and righteousness and peace to prevail in the world as the cry of our hearts for a better day and a better world. While we can not offer solutions to the ills of the present world, we can offer our lives as instruments of service and by our example inspire others to holy and courageous living. Let the better world we seek begin in us and end in Thee, O GOD we pray — Amen.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Maloomian led the House in the Pledge of Allegiance to the Flag.

### LEAVES OF ABSENCE

Reps. Joncas and VanLoan were granted leave of absence for the day on account of important business.

Rep. Thomas Manning was granted indefinite leave of absence on account of illness.

### RESOLUTION

Rep. McMeekin offered the following resolution:

Resolved, that in accordance with the list in the possession of the clerk, House Bills numbered 759 through 766 and House Joint Resolution numbered 62 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.

### INTRODUCTION OF BILLS

The following bills and joint resolution were read a first and second time, laid on the table for printing and referred as follows:

HB 759, to eliminate the requirement that the address of a candidate be printed on the ballot. (Bridges of Hillsboro Dist. 13 — To Statutory Revision.)

HB 760, relative to the distribution and sale of the manual for the general court. (Bridges of Hillsboro Dist. 13 — Legislative Revision.)

HB 761, to regulate mobile home parks in towns. (Casassa of Rockingham Dist. 20, Blain of Grafton Dist. 15 — To Municipal & County Government.)

HB 762, relative to the use of fiscal notes for appropriation bills. (Smith of Strafford Dist. 14 — To Legislative Revision.)

HB 763, relative to the powers of the board of education of the union school district of Keene. (Moran of Cheshire Dist. 17 — To Education.)

HB 764, relative to subversive activities and civil disobedience. (Lambert of Hillsboro Dist. 39 — To Judiciary.)

HB 765, relative to the terms of office and manner of election of the Cheshire county commissioners. (Moran of Cheshire Dist. 17 — To Cheshire Delegation.)

HB 766, to authorize cooperative banks, savings and loan associations, building and loan associations, federal savings and loan associations and savings banks to merge or consolidate with one another. (Greeley of Merrimack Dist. 16 — To Banks & Insurance.)

HJR 62, to reestablish the rail passenger service in the state of New Hampshire. (Coutermarsh of Hillsboro Dist. 22 — To Transportation.)

Rep. Bigelow moved that the order whereby HB 677, providing that educational loans be subject to the small loans statute, was referred to Education be vacated and it be referred to Banks and Insurance.

Motion adopted by vv.

### SENATE MESSAGE

The Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill:

HB 309, relative to county bonds and notes and the President has appointed as members of said Committee on the part of the Senate: Sens. Koromilas and Marcotte.

## FURTHER SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in its amendment to the following Bill:

SB 77, to extend the amount and repayment time of loans and to provide for unsecured loans for any purpose made by cooperative banks and building and loan associations.

## FURTHER SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

HB 218, relative to membership on state council on aging.

HB 384, relative to qualifications for persons seeking the office of county attorney.

HB 472, providing for a recount of votes on a sweepstakes question.

HB 494, legalizing proceedings of Hopkinton School District Meeting held in the Town of Hopkinton on March 12 and 16, 1968 and March 11 and 15, 1969.

FURTHER SENATE MESSAGE, INTRODUCTION OF  
SENATE BILL AND REFERRAL

The following Senate Bill was read a first and second time and referred to Statutory Revisions.

SB 160, to repeal provisions regarding sale of pressed hay.

## COMMITTEE REPORTS

**HB 619**

relative to appeals in proceedings relating to banks. Ought to pass. Rep. Montplaisir for Banks and Insurance.

Ordered to third reading by vv.

**HB 631**

relative to recounts of referendum votes on amending the constitution. Ought to pass with amendment. Rep. Chase for Constitutional Revision.

## AMENDMENT

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Recount Upon Request. Amend RSA 59:101 by striking out said section and inserting in place thereof the following: 59:101 Referendum Elections; Constitutional Amendments. The governor and council shall, upon petition of not less than one hundred voters which is presented to them within twenty-five days of the date of election, order the secretary of state to recount the ballots cast on any question amending the constitution if the proposal was adopted or failed adoption by no more than one per cent of the total vote cast. The recount shall take place at the state house at such time as the secretary of state may appoint and under such rules of procedure as he shall determine. The secretary of state shall publish a notice of the time and place of the recount twice in a newspaper of general circulation throughout the state. If a petition requesting a recount is presented to the governor and council as provided herein, all ballots shall remain in the custody of the respective town and city clerks, under seal, until called for by the secretary of state for the purpose of recounting the ballots.

\* \* \*

Amendment adopted by vv.

At the request of Rep. Mackintosh, Rep. Russell Chase explained the amendment.

Ordered to third reading by vv.

**HB 632**

relative to the destruction of ballots by town and city clerks. Inexpedient to legislate. Rep. Russell Chase for Constitutional Revision.

Resolution adopted by vv.

**HB 647**

relative to establishment and validation of adult education and related course instruction programs. Ought to pass. Rep. Greene for Education.

Ordered to third reading by vv.

**HB 634**

relative to overtime pay and other benefits for classified state employees. Inexpedient to legislate. Rep. Shirley Clark for Executive Departments and Administration.

Resolution adopted by vv.

**HB 615**

permitting certain nonresident property owners to purchase a fishing license at resident prices. Inexpedient to legislate. Rep. Huggins for Fish and Game.

Resolution adopted by vv.

**HB 648**

changing the name of Nigger Island in Hanover to Gilman Island. Ought to pass. Rep. Huggins for Fish and Game.

Ordered to third reading by vv.

**HB 444**

establishing an interstate compact on mentally disordered offenders. Ought to pass. Rep. Cochrane for Labor, Human Resources and Rehabilitation.

Ordered to third reading by vv.

**HB 499**

relative to the abolition of the department of personnel of the city of Manchester. Inexpedient to legislate. Rep. Vachon for the Manchester Delegation.

Resolution adopted by vv.

**HB 525**

amending certain pension acts of the city of Manchester. Ought to pass with amendment. Rep. Vachon for the Manchester Delegation.

### AMENDMENT

Amend said bill by inserting after section 2 the following new section:

3 Retirement For Officials. Amend Laws of 1967, 571 by inserting after section 2-a the following new section: 571:2-b Retirement For Officials. The city solicitor, including the city solicitor now in office, shall be considered a full-time official under the provisions of 1949, 400:2.



Further amend said bill by renumbering section 3 to read section 4.

Further amend said bill by striking out original section 4, renumbering and inserting in place thereof the following:

5 Effective Date. Section 4 of this act shall take effect upon its passage and if the act is adopted at the election in November, 1969, the remainder of this act shall take effect on January 1, 1970.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

#### **HB 601**

relative to insurance benefit payments by the city of Manchester to retired city employees. Ought to pass. Rep. Vachon for Manchester Delegation.

Ordered to third reading by vv.

#### **HB 493**

to provide for enforcement of the Historic District Act in municipalities where there are no zoning ordinances. Ought to pass. Rep. Walker for Municipal and County Government.

Ordered to third reading by vv.

#### **HB 585**

relative to county attorneys. Inexpedient to legislate. Rep. Bednar for Municipal and County Government.

Resolution adopted by vv.

#### **HCR 7**

concerning pure water in New Hampshire. Ought to pass. Rep. Brown for Municipal and County Government.

Ordered to third reading by vv.

#### **SB 108**

establishing an interim commission to study problems associated with the conversion from open dumps to other means of public disposal of refuse. Ought to pass. Rep. Stuart Allan for Municipal and County Government.

Referred to Appropriations under the Rules.

**HB 522**

allowing the state board of examiners of psychologists to set the certification and renewal fees for psychologists. Ought to pass with amendment. Rep. Mason for Public Health, Welfare and State Institutions.

**AMENDMENT**

Amend the title of said bill by striking out the same and inserting in place thereof the following:

**AN ACT**

allowing the state board of examiners to set the renewal fees for psychologists.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Psychologists; Renewal Fees. Amend RSA 330-A:17 as inserted by 1957, 121:1 by striking out in line eight the words "of five dollars" and inserting in place thereof the following (as set by the board, provided that said fee shall not exceed twenty dollars) so that said section as amended shall read as follows: 330-A:17 Expirations and Renewals. Certificates of registration shall expire each year on June 30, and shall become invalid on that date unless renewed. It shall be [the] duty of the secretary of the board to notify every person registered under this act of the date of the expiration of his certificate and the amount of the fee that shall be required for its renewal for one year; such notice shall be mailed at least one month in advance of the date of expiration of such certificate. Renewal may be effected by the payment of a fee as set by the board, provided that said fee shall not exceed twenty dollars.

2 Effective Date. This act shall take effect sixty days after its passage.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

**HB 152**

to prohibit the construction or conversion of structures built over the waters of the state for the purpose of dwelling

therein. Ought to pass with amendment. Rep. Claflin for Resources, Recreation and Development.

### AMENDMENT

Amend RSA 488-A:1 as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

#### 488-B:1 Residential Use Prohibited.

I. No person shall construct or reconstruct any structure intended for use as a dwelling if said structure or any part thereof extends beyond the shoreline of any public water or public owned water body. For the purposes of this paragraph, "the shoreline" shall be that shoreline which exists when the surface of the water is at the mean high water level.

II. No person shall convert or modify any existing structure in order to make said structure suitable as a dwelling if said structure or any part thereof extends beyond the shoreline of any public water or public owned water body. For the purposes of this paragraph, "the shoreline" shall be that shoreline which exists when the surface of the water is at the mean high water level.

Amend RSA 488-A:2 as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

488-B:2 Penalty. Any person who violates any provision of section 1 shall be required to remove the structure or portion thereof constructed, reconstructed, converted or modified in violation of said section, and shall be punished by a fine of not more than one thousand dollars. Said fine shall accrue to the use of the town or city in which the structure is located.

Amend section 2 of the bill by striking out said section and inserting in place thereof the following:

2 Effective Date. This act shall take effect upon its passage.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

**HB 539**

relative to the manner and number of voter signatures required to allow presidential and vice presidential candidates to have names placed on primary ballot. Ought to pass with amendment. Rep. Shindledecker for Statutory Revision.

**AMENDMENT**

Amend section 1 of the bill by striking out in lines three and fifteen the words "one hundred" and inserting in place thereof the words (one per cent of the) so that said section as amended shall read as follows:

1 Nomination Petition. Amend RSA 58:3 by striking out in line eight the words "fifty qualified voters of each congressional district of" and inserting in place thereof the following (one per cent of the qualified voters from each county of), and by striking out in line eleven the words "congressional district" and inserting in place thereof the word (county), and by striking out in line thirteen the words "congressional district" and inserting in place thereof the word (county), so that said section as amended shall read as follows: 58:3 Nomination Petition. The names of any persons to be voted upon for candidates for president and vice president shall be printed on the ballots solely on petition of New Hampshire voters of the same political party as the prospective candidates. The time limits for filing such petitions with the secretary of state shall be not more than sixty days nor less than forty days before the primary. In order to qualify the name of any person to appear on such ballot, a petition in support of his candidacy must be signed by at least one per cent of the qualified voters from each county of the state. The petitions shall be in such form as may be prescribed by the secretary of state and shall contain an affirmation under the penalties for perjury that each signer is a qualified voter in his county and is a member of the same political party as the proposed candidate. A separate petition shall be presented from each county. The decision of the secretary of state as to the regularity of petitions shall be final.

\* \* \*

On the request of Rep. Splaine, Rep. McMeekin explained the bill.

(Discussion ensued)

Amendment adopted and the bill ordered to third reading by vv.

**HB 657**

increasing the size of claims subject to the jurisdiction of small claims court. Ought to pass. Rep. Shirley for Statutory Revision.

Ordered to third reading by vv.

**HB 574**

placing the state motto on certain license plates. Ought to pass. Rep. Elmer H. York for Transportation.

Ordered to third reading by vv.

**HB 596**

providing that pending the appeal of certain out of state motor vehicle convictions an operator may retain his license upon filing recognizance. Ought to pass with amendment. Rep. Bartlett for Transportation.

### AMENDMENT

Amend section 1 of the bill by striking out in line eight the word "safety" and inserting in place thereof the words (motor vehicle) so that said section as amended shall read as follows:

1 Out of State Convictions. Amend RSA 262-A by inserting after section 65 (supp) as inserted by 1963, 330:1 and amended by 1967, 185:1 the following new section: 262-A:65-a Recognizance When Appealing Out of State Conviction. Whenever any person convicted in another state of the type of violation cited in RSA 262-A:61 or 62 appeals, the person appealing may recognize in this state in the sum of one hundred dollars, with sufficient sureties to keep the peace and be of good behavior until such appeal has been finally disposed of. Such sum shall be paid to the director of motor vehicles and no suspension of his New Hampshire operator's license shall occur while the appeal of the out of state conviction is pending.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

(Speaker in the Chair)

**HB 628**

providing that front license plates on motor vehicles shall be illuminated at night. Inexpedient to legislate. Rep. Parnagian for Transportation.

Resolution adopted by vv.

**HB 656**

relative to school driver training programs. Ought to pass. Rep. Hamel for Transportation.

Ordered to third reading by vv.

**SB 1**

authorizing the lapse of certain accounts to the general fund and reducing the appropriation to certain departments. Ought to pass. Rep. George Roberts for Appropriations.

Ordered to third reading by vv.

**SJR 10**

transferring fifty thousand dollars from the unemployment compensation contingency fund to general funds. Ought to pass. Rep. George Roberts for Appropriations.

At the request of Reps. Ferguson and Angus, Rep. George Roberts answered questions.

Ordered to third reading by vv.

**HB 62**

enacting the Controlled Drug Act. Ought to pass with amendment. Rep. Zachos for Judiciary.

**AMENDMENT**

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 New Chapter. Amend RSA by inserting after chapter 318-A the following new chapter:

**Chapter 318-B  
Controlled Drug Act**

318-B:1 Definitions. The following words and phrases, as used in this chapter, shall have the following meanings, unless the context otherwise requires:

I. "Abuse of drugs" means the use of controlled drugs solely for their stimulant, depressant or hallucinogenic effect



upon the higher functions of the central nervous system and not as a therapeutic agent recommended by a practitioner in the course of medical treatment or in a program of research operated under the direction of a physician, pharmacologist, physiologist or chemist.

II. "Amphetamine-type drugs" means amphetamine, optical isomers thereof, salts of amphetamine and its isomers, and chemical compounds which are similar thereto in physiological effect, and which show a like potential for abuse;

III. "Barbiturate-type drugs" means barbituric acid and its salts, derivatives thereof and chemical compounds which are similar thereto in physiological effect, and which show a like potential for abuse;

IV. "Cannabis-type drugs" means all parts of the plant *Cannabis sativa* L., whether growing or not; the seeds thereof; the resin extracted from any part of such a plant; and every compound manufacture, salt, derivative, mixture or preparation of such plant, its seeds or resin; but shall not include the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture or preparation of such mature stalks, except the resin extracted therefrom, fiber, oil or cake, or the sterilized seed of such plant which is incapable of germination. Included are cannabinon, cannabinal and chemical compounds which are similar to cannabinon or cannabinal in physiological effect, and which show a like potential for abuse;

V. "Cocaine-type drugs" means coca leaves, cocaine, ecgonine, and chemical compounds which are similar thereto in chemical structure or which are similar thereto in physiological effect, and which show a like potential for abuse;

VI. "Controlled drugs" are those drugs and chemicals which contain any quantity of a substance which has been designated as subject to federal narcotic laws, or which has been designated as a depressant or stimulant drug pursuant to federal food and drug laws, or which has been by regulation, after investigation and hearing designated by the division of public health services as having a stimulant, depressant or hallucinogenic effect upon the higher functions of the central nervous system and as having a potential for abuse or physiological and

psychological dependence, or both. The division of public health services shall give due notice of the time, place and purpose of all hearings required under this chapter to podiatrists, osteopaths, hospitals, pharmacists, physicians, dentists, veterinarians, laboratories, registered manufacturers, suppliers and to the general public by such means as it shall deem adequate. From and after the hearing date, the sale or dispensations (except by prescription) of a drug or chemical containing any quantity of such substance as is the subject matter of the hearing shall be suspended pending a determination as to whether such substance is to be designated as a controlled drug. Designation as a controlled drug shall result in the continued suspension of the sale or dispensation (except by prescription) of any drug or chemical containing any quantity of such substances until the effective date of the designation after publication. The substance shall thereafter be a controlled drug subject to this chapter. In the event any substance is so designated, the division shall publish the designation in a newspaper of general circulation in the state once each week for three successive weeks. The designation shall be effective and any drug or chemical containing any quantity of such substance shall be a controlled drug seven days after the date of the last publication of said designation. Controlled drugs are classifiable as amphetamine-type, barbiturate-type, cannabis-type, cocaine-type, hallucinogenic, morphine-type and other stimulant and depressant drugs. Specifically excluded from controlled drugs are alcohol, nicotine and caffeine;

VII. "Dentist" means a person authorized by law to practice dentistry in this state;

VIII. "Dispense" means distribute, leave with, give away, dispose of or deliver;

IX. "Drug dependence" means a state of physical addiction or psychic dependence, or both, upon a drug following use of that drug upon a repeated periodic or continuous basis except:

(a) Upon a morphine-type drug as an incident to current medical treatment of a demonstrable physical disorder, other than produced by the use of the drug itself, or

(b) Upon amphetamine-type, ataractic, barbiturate-type, hallucinogenic or other stimulant and depressant drugs as an

incident to current medical treatment of a demonstrable physical or psychological disorder, or both, other than produced by the drug itself;

X. "Drug-dependent person" means any person who has developed a state of psychic or physical dependence, or both, upon a controlled drug following administration of that drug upon a repeated periodic or continuous basis. No person shall be classified as drug dependent who is dependent:

(a) Upon a morphine-type drug as an incident to current medical treatment of a demonstrable physical disorder other than drug dependence, or

(b) Upon amphetamine-type, ataractic, barbiturate-type, hallucinogenic or other stimulant and depressant drugs as an incident to current medical treatment of a demonstrable physical or psychological disorder, or both, other than drug dependence;

XI. "Federal food and drug laws" means the federal food, drug and cosmetic act, as amended, Title 21 USC 301 et seq.;

XII. "Federal narcotic laws" means the laws of the United States relating to opium, coca leaves and other narcotic drugs;

XIII. "Hallucinogenic drugs" are psychodysleptic drugs which assert a confusional or disorganizing effect upon mental processes or behavior and mimic acute psychotic disturbances. Exemplary of such drugs are mescaline, peyote, psilocybin and d-lysergic acid diethylamide;

XIV. "Laboratory" means a scientific or medical establishment entrusted with the custody of controlled drugs and the use of controlled drugs for scientific and medical purposes and for purposes of instruction, research or analysis;

XV. "Manufacturer" means a person who, by compounding, mixing, cultivating, growing or other process, produces or prepares controlled drugs, but shall not mean a pharmacist who compounds controlled drugs to be sold or dispensed on prescriptions;

XVI. "Morphine-type drugs" means morphine and chemical compounds which are similar thereto in physiological effect, and which show a like potential for abuse.

XVII. "Narcotic drugs" means cocaine-type and morphine-type drugs, and drugs other than cannabis-type regulated under the federal narcotic laws;

XVIII. "Nurse" means a person licensed to perform nursing as defined in RSA 326-A;

XIX. "Official written order" means an order written on a form provided for that purpose by the United States commissioner of narcotics under the laws of the United States making provision therefor, if such order forms are authorized and required by federal law, or conforming to the requirements of such a form and provided by the division of public health, or, if no such order form is provided, on an official form provided for that purpose by the division of public health;

XX. "Other stimulant and depressant drugs" means controlled drugs other than amphetamine-type, barbiturate-type, cannabis-type, cocaine-type, hallucinogenics and morphine-type which are found to exert a stimulant and depressant effect upon the higher functions of a central nervous system and which are found to have a potential for abuse;

XXI. "Person" means any corporation, association or partnership, or one or more individuals;

XXII. "Pharmacist" means a person authorized by law to practice pharmacy pursuant to RSA 318;

XXIII. "Pharmacy" means an establishment licensed pursuant to RSA 318;

XXIV. "Physician" means a person authorized by law to practice medicine in this state pursuant to RSA 329;

XXV. "Potential for abuse" means that there is a likelihood that a drug will be used solely for its stimulant, depressant or hallucinogenic effect upon the higher functions of the central nervous system as distinguished from use recommended by a practitioner as a therapeutic agent in a course of medical treatment or in a program of research operated under the direction of a physician or pharmacologist;

XXVI. "Practitioner" means any person who is lawfully entitled to prescribe, administer, dispense or distribute controlled drugs to patients;

XXVII. "Prescribe" means order or designate a remedy or any preparation containing controlled drugs;

XXVIII. "Prescription" means a written or oral order for any controlled drug or preparation from a licensed practitioner to a pharmacist for a patient.

XXIX. "Registry number" means the number assigned to each person registered under the federal narcotic laws;

XXX. "Sale" means barter, exchange or gift, or offer therefor, and each such transaction made by any person whether as principal, proprietor, agent, servant, or employee;

XXXI. "State food, drug and cosmetic laws" means RSA 146;

XXXII. "Veterinarian" means a person authorized by law to practice veterinary medicine in this state pursuant to RSA 332;

XXXIII. "Wholesaler" means a person who supplies controlled drugs that he himself has not produced or prepared to hospitals, practitioners, pharmacies, other wholesalers, manufacturers and federal, state and municipal agencies. Words importing the plural number may include the singular; words importing the masculine gender may be applied to females.

318-B:2 Acts Prohibited. It shall be unlawful for any person to manufacture, possess, have under his control, sell, purchase, prescribe, administer, dispense, or compound any controlled drug, or any preparation containing a controlled drug, except as authorized in this chapter.

318-B:3 Licensing of Manufacturers and Wholesalers Required. No person shall manufacture controlled drugs, and no person as a wholesaler shall supply the same, without having first obtained a license to do so from the division of public health services of the department of health and welfare.

318-B:4 Licenses.

I. Fee. The fee for such license shall be ten dollars per year payable annually to the division of public health services on or before January 1.

II. Qualification. No license shall be issued under section 3 unless and until the applicant therefor has furnished proof satisfactory to the division of public health services:



(a) that the applicant is of good moral character or, if the applicant be an association or corporation, that the managing officers are of good moral character, and

(b) that the applicant is equipped as to land, buildings, and equipment properly to carry on the business described in his application.

III. Prohibition. No license shall be granted to any person who has within five years been convicted of a violation of any law of the United States, or of any state, relating to controlled drugs, as defined in this chapter, or to any person who is a drug-dependent person.

IV. Revocation. Any license may be suspended or revoked by the division of public health services after due notice and opportunity for hearing if the licensee:

(a) has been convicted of violating or conspiring to violate any law of the United States or of any state where the offense involves any activity or transaction with respect to controlled drugs or

(b) has violated or failed to comply with any duly promulgated regulation of the division of public health services and such violation or failure to comply reflects adversely on the licensee's reliability and integrity with respect to controlled drugs.

318-B:5 Sale by Manufacturer or Wholesaler. A duly licensed manufacturer or wholesaler may sell and dispense controlled drugs only to any of the following persons, and only on official written orders:

I. To a manufacturer, wholesaler, or pharmacist,

II. To a practitioner,

III. To that person in each hospital designated as in charge of controlled drugs but only for use by or in that hospital,

IV. To that person in each laboratory designated as in charge of controlled drugs but only for use in that laboratory for scientific and medical purposes.

V. To a person in the employ of the United States Government or of any state, territorial, district, county, municipal, or insular government, purchasing, receiving, possessing, or dis-



pensing controlled drugs by reason of his official duties, upon an exempt official order form as required by federal narcotics laws.

VI. To a master of a ship or a person in charge of any aircraft upon which no physician is regularly employed, or to a physician or surgeon, duly licensed in some state, territory, or the District of Columbia to practice his profession, or to a retired commissioned medical officer of the United States army, navy, or public health service employed upon such ship or aircraft, for the actual medical needs of persons on board such ship or aircraft, when not in port. Provided, such controlled drugs shall be sold to the master of such ship or person in charge of such aircraft or to a physician, surgeon, or retired commissioned medical officer of the United States army, navy, or public health service employed upon such ship or aircraft only in pursuance of a special order form approved by a commissioned medical officer or acting assistant surgeon of the United States public health service.

VII. To a person in a foreign country if the provisions of the federal narcotic laws are complied with.

318-B:6 Possession Lawful. Possession of or control of controlled drugs obtained as authorized by section 5 shall be lawful if in the regular course of business, occupation, profession, employment, or duty of the possessor.

318-B:7 Written Orders. An official written order for any controlled drug shall be signed in triplicate by the person giving said order or by his duly authorized agent. The original shall be presented to the person who sells or dispenses the controlled drug or drugs named therein. In event of the acceptance of such order by said person, each party to the transaction shall preserve his copy of such order for a period of two years in such a way as to be readily accessible for inspection by any public officer or employee engaged in the enforcement of this act. It shall be deemed a compliance with this section if the parties to the transaction have complied with the federal narcotic laws or the federal food and drug laws, respecting the requirements governing the use of order forms.

318-B:8 Limitation on Use. A person in charge of controlled drugs in a hospital or of a laboratory, or in the employ of this state or of any other state, or of any political subdivision thereof, or a master of a ship or a person in charge of any air-

craft upon which no physician is regularly employed, or a physician or surgeon duly licensed in some state, territory, or the District of Columbia, to practice his profession, or a retired commissioned medical officer of the United States army, navy, or public health service employed upon such ship or aircraft, who obtains controlled drugs under the provisions of section 5 or otherwise, shall not administer, nor dispense, nor otherwise use such drugs, within the state, except within the scope of his employment or official duty, and then only for scientific or medical purposes and subject to the provisions of this chapter.

### 318-B:9 Sale by Pharmacists.

I. On Prescription. Any person in good faith, may sell controlled drugs exempt under federal narcotic laws or federal food and drug laws not requiring a prescription and a pharmacist may sell and dispense controlled drugs requiring prescriptions to any person upon the written prescription of a practitioner, provided it is properly executed, dated and signed by the person prescribing on the day when issued and bears the full name and address of the patient for whom or of the owner of the animal for which, the drug is dispensed, or upon oral prescription, in pursuance of regulations promulgated by the secretary of the treasury of the United States, or his delegate, under the provisions of federal narcotics laws, where applicable, provided said oral prescription is promptly reduced to writing by the pharmacist, stating the name of the practitioner so prescribing, the date, the full name and address of the patient for whom, or of the owner of the animal for which, the drug is dispensed, and in all instances, the full name, address and registry number under the federal narcotic laws or federal food and drug laws of the person so prescribing if he is required by those laws to be so registered. If the prescription be for an animal, it shall state the species of animal for which the drug is prescribed. A person filling the prescription shall write the date of filling and his own signature on the face of the prescription. The prescription shall be retained on file by the proprietor of the pharmacy in which it is filled for a period of two years so as to be readily accessible for the inspection of any officers engaged in the enforcement of this chapter. The prescription as to a narcotic controlled drug shall not be refilled.

II. On Written Order. The legal owner of any stock of controlled drugs in a pharmacy, upon discontinuance of dealing

in said drugs, may sell said stock to a manufacturer, wholesaler, pharmacist or pharmacy owner but only upon an official written order, and in accordance with the federal narcotic laws and regulations where applicable. A pharmacist only upon an official written order, may sell to a practitioner in quantities not exceeding one ounce at any one time, aqueous or oleaginous solutions compounded by him of which the content of controlled drugs does not exceed a proportion greater than twenty per centum of the complete solution, to be used for medical purposes.

### 318-B:10 Professional Use of Narcotic Drugs.

I. Practitioners Other Than Veterinarians. A practitioner other than a veterinarian, in good faith and in the course of his professional practice only, may prescribe, administer, and dispense controlled drugs, or he may cause the same to be administered by a nurse or intern under his direction and supervision.

II. Veterinarians. A veterinarian, in good faith and in the course of his professional practice only, and not for use by a human being, may prescribe, administer, and dispense controlled drugs, and he may cause them to be administered by an assistant or orderly under his direction and supervision.

III. Return of Unused Drugs. Any person who has obtained from a practitioner other than a pharmacist any controlled drug for administration to a patient during the absence of said practitioner, shall return to such practitioner any unused portion of such drug, when it is no longer required by the patient.

### 318-B:11 Preparations Exempted.

I. Not Dependence Forming or of Sustaining Character. The division of public health services may by regulation exempt from the application of this chapter to such extent as it determines to be consistent with the public welfare, pharmaceutical preparations found by the division of public health services after due notice and hearing:

(a) Either to possess no physiological or psychological dependence forming or sustaining character, or to possess physiological or psychological dependence forming or sustaining character not sufficient to warrant imposition of all the requirements of this chapter, and,

(b) Not to permit recovery of the minute quantity of a controlled drug from the pharmaceutical preparation having such a physiological or psychological dependence forming or sustaining character, with such relative technical chemical separation simplicity and degree of quantitative yield as to create a risk of improper use.

II. Exempt Under Federal Law. In exercising the authority granted in paragraph I. the division of public health services, by regulation and without special findings may grant exempt status to such pharmaceutical preparations as are or may be determined to be exempt under the federal narcotic laws and regulations and permit the administering, dispensing, or selling of such preparations under the same conditions as permitted by the federal narcotic laws and regulations and the federal food and drug laws and regulations.

III. Revocation. If the division of public health services shall find after due notice and a hearing, as required by section 1 (VI) of this chapter, that any exempt pharmaceutical preparation does possess a degree of physiological or psychological dependence character that results in material abusive use, it shall by designation publish once each week for three successive weeks, the findings in a newspaper of general circulation in the state. The findings shall be effective, and the exempt status shall cease to apply to such pharmaceutical preparation seven days after the date of the publication of the findings. The suspension procedure specified in section 1 (VI) of this chapter shall also apply to such exempt preparation after the hearing date.

318-B:12 Records to be Kept. Practitioners, manufacturers, wholesalers, pharmacists, hospitals and laboratories shall keep such records as may be required by the division of public health services or by the federal narcotic laws and regulations and the federal food and drug laws and regulations relating to receipt, manufacture, inventory, distribution (including dispensing, sale or other disposition) and information as to controlled drugs stolen, lost or destroyed.

318-B:13 Labels.

I. Manufacturer or Wholesaler. Whenever a manufacturer sells or dispenses a controlled drug, and whenever a wholesaler sells or dispenses a controlled drug in a package prepared by



him, he shall securely affix to each package in which the drug is contained a label showing in legible English the name and address of the vendor and the quantity, kind, and form of controlled drug contained therein. If any controlled drug is determined by regulation of the division of public health services as being habit forming, the container label shall show clearly the statement "Warning—May be Habit Forming." No person, except a pharmacist for the purpose of filling a prescription under this chapter shall alter, deface, or remove any label so affixed.

II. Pharmacist. Whenever a pharmacist sells or dispenses any controlled drug on a prescription issued by a practitioner, he shall affix to the container in which such drug is sold or dispensed, a label showing his own name, address, and registry number, or the name, address, and registry number of the pharmacist for whom he is lawfully acting; the name and address of the patient or, if the patient is an animal, the name and address of the owner of the animal and the species of the animal; the name, address, and registry number of the practitioner by whom the prescription was written; and such directions as may be stated on the prescription. No person shall alter, deface, or remove any label so affixed.

318-B:14 Authorized Possession of Controlled Drugs by Individuals. An individual to whom or for whose use any controlled drug has been prescribed, sold, or dispensed, by a practitioner or pharmacist, or other person authorized under the provision of sections 5 or 8, and the owner of any animal for which any such drug has been prescribed, sold or dispensed by a veterinarian, may lawfully possess it only in the container in which it was delivered to him by the person selling or dispensing the same.

318-B:15 Persons and Corporations Exempted. The provisions of this chapter restricting the possession and having control of controlled drugs shall not apply to common carriers or to warehousemen, while engaged in lawfully transporting or storing such drugs, or to an employee of the same acting within the scope of his employment; or to public officers or their employees in the performance of their official duties requiring possession or control of controlled drugs; or to temporary incidental possession by employees or agents or persons lawfully entitled to possession, or by persons whose possession is for the

purpose of aiding public officers in performing their official duties.

318-B:16 Common Nuisances. Any store, shop, warehouse, dwellinghouse, building, vehicle, boat, aircraft, or any place whatever, which is resorted to by drug-dependent persons for the purpose of using controlled drugs or which is used for the illegal keeping or selling of the same, shall be deemed a common nuisance. No person shall knowingly keep or maintain such a common nuisance.

318-B:17 Disposal of Controlled Drugs in Possession of Peace Officer. All controlled drugs, the lawful possession of which is not established or the title to which cannot be ascertained, which have come into the custody of a peace officer, shall be forfeited, and disposed of as follows:

I. Forfeited or Destroyed. Except as in this section, otherwise provided, the superior court shall order such controlled drugs forfeited and destroyed. A record of the place where said drugs were seized, of the kinds and quantities of drugs so destroyed, and of the time, place, and manner of destruction, shall be kept, and a return under oath, reporting said destruction, shall be made to the superior court and to the United States commissioner of narcotics, if narcotic controlled drugs are involved, by the officer who destroys them.

II. Delivery to Division of Public Health Services. Upon written application by the state division of public health services the superior court may order the delivery of any of them, except heroin and its salts and derivatives, to said state division of public health services for distribution or destruction, as hereinafter provided.

(a) Upon application by any hospital within this state, not operated for private gain, the state division of public health services may in its discretion deliver any controlled drugs that have come into its custody by authority of this section to the applicant for medical use. The state division of public health services may from time to time deliver excess stocks of such controlled drugs to the United States commissioner of narcotics, or to the New Hampshire hospital, or may destroy the same.

III. Records Required. The state division of public health services shall keep a full and complete record of all drugs received and of all drugs disposed of, showing the exact kinds,



quantities, and forms of such drugs; the persons from whom received and to whom delivered; by whose authority received, delivered, or destroyed; and the dates of the receipt, disposal, or destruction, which record shall be open to inspection by all federal or state officers charged with the enforcement of federal and state controlled drug laws.

318-B:18 Notice of Conviction to be Sent to Licensing Board. On the conviction of any person of the violation of any provision of this chapter, a copy of the judgment and sentence, and of the opinion of the superior court, if any opinion be filed, shall be sent by the clerk of the court, to the board or officer, if any, by whom the convicted defendant has been licensed or registered to practice his profession or to carry on his business. On the conviction of any such person, the board or officer may, in its discretion, suspend, or revoke the license or registration of the convicted defendant to practice his profession or to carry on his business. On the application of any person whose license or registration has been suspended or revoked, and upon proper showing and for good cause said board or officer may reinstate such license or registration.

318-B:19 Records, Confidential. Prescriptions, orders and records, required hereby, and stocks of controlled drugs, shall be open for inspection only to federal, state, county, and municipal officers, whose duty is to enforce the laws of this state or of the United States relating to controlled drugs. No officer having knowledge by virtue of his office of any such prescription, order, or record shall divulge such knowledge, except in connection with a prosecution or proceeding in court or before a licensing or registration board or officer, to which prosecution or proceeding the person to whom such prescriptions, orders, or records relate is a party.

318-B:20 Prohibited Acts.

I. Fraud or Deceit. No person shall obtain or attempt to obtain a controlled drug, or procure or attempt to procure the administration of a controlled drug.

(a) by fraud, deceit, misrepresentation; or subterfuge; or

(b) by the forgery or alteration of a prescription or of any written order; or

(c) by the concealment of a material fact; or

(d) by the use of a false name or the giving of a false address.

II. False Statements. No person shall wilfully make a false statement in any prescription, order, report, or record, required hereby.

III. Assuming False Title. No person shall, for the purpose of obtaining a controlled drug falsely assume the title of, or represent himself to be a manufacturer, wholesaler, pharmacist, practitioner, or other authorized person.

IV. False or Forged Prescriptions or Orders. No person shall make or utter any false or forged prescription or false or forged written order.

V. False or Forged Labels. No person shall affix any false or forged label to a package or receptacle containing controlled drugs.

VI. Application of Section. The provisions of this section shall apply to all transactions relating to controlled drugs, or to preparations containing a controlled drug, under the provisions of section 11 of this chapter, in the same way as they apply to transactions under all other sections.

318-B:21 Certain Communications Not Privileged. Information communicated to a physician in an effort unlawfully to procure a controlled drug, or unlawfully to procure the administration of any such drug, shall not be deemed a privileged communication.

318-B:22 Exceptions and Exemptions Not Required to be Negatived. In any complaint, information, or indictment, and in any action or proceeding brought for the enforcement of any provision of this chapter, it shall not be necessary to negative any exception, excuse, proviso, or exemption, contained herein, and the burden of proof of any such exception, excuse, proviso or exemption, shall be upon the defendant.

318-B:23 Enforcement and Cooperation. It is hereby made the duty of the division of public health services, its officers, agents, inspectors, and representatives, and of all peace officers within the state, and of all county attorneys, to enforce all provisions of this chapter, except those specifically delegated, and to cooperate with all agencies charged with the enforcement of

the laws of the United States, of this state, and of all other states, relating to controlled drugs.

318-B:24 Rules and Regulations. Authority is hereby granted to the division of public health services to promulgate rules and regulations for the efficient enforcement of this chapter and said division of the public health services is hereby required to make such regulations under this chapter to conform with those promulgated by the secretary of the treasury of the United States, his delegate, the secretary of health, education, and welfare, or the United States commissioner of narcotics, under the federal narcotic laws and the federal food and drug laws.

318-B:25 Authority for Inspection. All officers, agents, inspectors and representatives of the division of public health services who are charged with the responsibility to enforce this chapter, all peace officers within the state, the attorney general and all county attorneys are authorized to enter upon the premises used by a pharmacist for the purpose of his business and inspect such original prescriptions for controlled drugs as defined herein; and every pharmacist, his clerk, agent or servant shall exhibit to such person on demand every such original prescription so kept on file.

#### 318-B:26 Penalties.

I. Any person who, except as authorized in this chapter,

(a) Manufactures, sells, prescribes, dispenses, compounds, transports with intent to sell or dispense, offers or gives or administers to another person any:

(1) Narcotic drug shall for a first offense be imprisoned for not more than twenty years or fined not more than five thousand dollars or both, and for each subsequent offense be imprisoned for not more than twenty-five years.

(2) Controlled drug other than a narcotic drug, shall for a first offense be imprisoned for not more than ten years or fined not more than two thousand dollars, or both, and for each subsequent offense be imprisoned for not more than fifteen years or fined not more than five thousand dollars or both.

(b) Possesses or has under his control, any quantity of any:

(1) Narcotic drug shall for a first offense be imprisoned for not more than five years or fined not more than two thousand

dollars, or both, and for each subsequent offense be imprisoned for not more than ten years or fined not more than five thousand dollars, or both.

(2) Controlled drug other than a narcotic drug, shall be imprisoned not more than one year or fined not more than five hundred dollars, or both, and for each subsequent offense be imprisoned for not more than three years or fined not more than one thousand dollars, or both.

II. Any person who:

(a) Is present where he knows a controlled drug is illegally kept or deposited, or

(b) Is in the company of a person knowing that said person is illegally in possession of a controlled drug, shall be imprisoned not more than six months or fined not more than five hundred dollars, or both, and for each subsequent offense be imprisoned for not more than one year or fined not more than five hundred dollars, or both.

III. Any person who conspires with another person to violate any of the provisions of this chapter, shall be imprisoned for not more than five years or fined not more than two thousand dollars, or both.

IV. Any person who violates any provision of this chapter for which a penalty is not provided for by paragraphs I, II or III shall be imprisoned not more than five years or fined not more than one thousand dollars, or both.

318-B:27 Prior Offenses. In the case of any person charged with a violation of any provision of this chapter, who has previously been convicted of a violation of the laws of the United States or any state, territory or the District of Columbia relating to controlled drugs as defined in this chapter, such previous conviction shall be deemed a prior offense.

318-B:28 Recording of Sentences as Misdemeanors or Felonies.

I. Any person convicted of a violation of any provision in this chapter whose sentence is:

(a) Continued for sentence, or

(b) Continued for sentence and placed on probation for not more than five years, or

(c) Less than one year and one day or a fine of less than one thousand dollars, or both, (regardless of whether said sentence is suspended), or

(d) Greater than one year and one day or a fine of more than one thousand dollars, or both, but a portion of said sentence is suspended so that the period designated to be served is less than one year and one day, or the fine ordered paid is less than one thousand dollars, shall be considered for all purposes to have been convicted of a misdemeanor and the conviction shall be so recorded in the records of the superior court and elsewhere.

Provided nevertheless that in the event any marking of continued for sentence and/or probation is brought forward and sentence designated for service is greater than one year and one day, or the fine ordered paid is greater than one thousand dollars then said person shall thereafter be considered for all purposes to have been convicted of a felony and the records of the superior court and elsewhere shall be amended accordingly.

318-B:29 Effect of Acquittal or Conviction Under Federal Narcotic Laws. No person shall be prosecuted for a violation of any provision of this chapter if such person has been acquitted or convicted under the federal narcotic laws or under the federal food and drug laws of the same act or omission which it is alleged constitutes a violation of this chapter.

2 Repeal. RSA 318-A, the Uniform Narcotic Drug Act, as inserted by 1963, 276:1 and amended by 1967, 420:1 and 2, is hereby repealed, provided, however, that no offense committed and no penalty or forfeiture incurred under any provision of said chapter 318-A and before the time when such repeal shall take effect shall be affected by the repeal except that when any punishment, penalty or forfeiture shall be mitigated by the provisions of RSA 318-B as inserted by section 1 of this act, such provisions may be extended and applied to any sentences under chapter 318-A pronounced after such repeal.

3 Effective Date. This act shall take effect sixty days after its passage, provided that any manufacturer, or wholesaler holding a valid license under the provisions of chapter 318-A on the effective date of this act shall not be required to obtain a license



and pay the fee as provided by RSA 318-B as inserted by section 1 of this act until January 1, 1970.

\* \* \*

Amendment adopted by vv.

Rep. Zachos offered the following amendment and explained it.

#### AMENDMENT

Amend RSA 318-B:7, as inserted by section 1 of the bill, by inserting in line two after the word "controlled" the word (narcotic) so that said section as amended shall read as follows:

318-B:7 Written Orders. An official written order for any controlled narcotic drug shall be signed in triplicate by the person giving said order or by his duly authorized agent. The original shall be presented to the person who sells or dispenses the controlled drug or drugs named therein. In event of the acceptance of such order by said person, each party to the transaction shall preserve his copy of such order for a period of two years in such a way as to be readily accessible for inspection by any public officer or employee engaged in the enforcement of this act. It shall be deemed a compliance with this section if the parties to the transaction have complied with the federal narcotic laws or the federal food and drug laws, respecting the requirements governing the use of order forms.

Amend RSA 318-B, as inserted by section 1 of the bill, by inserting after section 29 the following new section:

318-B:30 Severability. If any provision of this chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.

\* \* \*

Amendment adopted and ordered to third reading by vv.

The Speaker called for the Special Order for 11:01 on HB 364, relative to educational leave in the department of health and welfare.



The question being on the motion of Rep. Sheldon Barker that the words "ought to pass" be substituted for the motion of Rep. Cochrane that the bill be "inexpedient to legislate."

Rep. Sheldon Barker spoke in favor of the motion.

(Discussion ensued)

The Speaker ruled that if the bill is voted favorably by the House it would be referred to Appropriations under the Rules.

Rep. C. Edwin Howard moved that HB 364 be indefinitely postponed and spoke in favor of the motion.

Rep. Merrill spoke in favor of the motion.

Motion adopted by vv.

### RESOLUTION

Reps. Logan and Raiche offered the following resolution:

*Whereas*, we have learned with deepest sorrow of the death of Louis Smith, affectionately known to most of us as "Uncle Lou," of Salem, and

*Whereas*, Uncle Lou was a great American and citizen of the State of New Hampshire, and recognized as the father of pari-mutuel racing in New England, and

*Whereas*, Uncle Lou had the deepest respect and admiration of everyone for his economic contribution and his philanthropic and charitable endeavors, therefore be it

*Resolved*, that we, the members of the House of Representatives, in General Court convened, do hereby extend our sympathy to his family and be it further

*Resolved*, that a copy of these resolutions be transmitted to Mrs. Lutz Smith.

\* \* \*

Resolution unanimously adopted by vv.

### HB 389

relative to the treatment and prevention of alcohol and drug abuse and making appropriations therefor. Ought to pass with amendment. Rep. Zachos for Judiciary.

## AMENDMENT

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Functions Transferred. Amend RSA 172:1, III by striking out in line two the words "public health services" and inserting in place thereof the following (mental health) so that said paragraph as amended shall read as follows: III. "Commission" means the department of health and welfare, division of mental health.

2 Definitions. Amend RSA 172:1 by inserting after paragraph IX the following new paragraphs:

X. "Abuse of drugs" means the use of controlled drugs solely for their stimulant, depressant or hallucinogenic effect upon the higher functions of the central nervous system and not as a therapeutic agent recommended by a practitioner in the course of medical treatment or in a program of research operated under the direction of a physician, or pharmacologist, physiologist, or chemist.

XI. "Alcohol abuser" means any person whose use of alcohol falls under the definitions contained in paragraphs IV through VIII.

XII. "Amphetamine-type drugs" means amphetamine, optical isomers thereof, salts of amphetamine and its isomers, and chemical compounds which are similar thereto in physiological effect, and which show a like potential for abuse.

XIII. "Barbiturate-type drugs" means barbituric acid and its salts, derivatives thereof and chemical compounds which are similar thereto in physiological effect, and which show a like potential for abuse;

XIV. "Cannabis-type drugs" means all parts of the plant *Cannabis sativa* L., whether growing or not; the seeds thereof; the resin extracted from any part of such a plant; and every compound manufacture, salt, derivatives, mixture or preparation of such plant, its seeds or resin; but shall not include the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture or preparation of such mature stalks, except the resin extracted therefrom,

fiber, oil or cake, or the sterilized seed of such plant which is incapable of germination. Included are cannabinon, cannabinal and chemical compounds which are similar to cannabinon or cannabinal in physiological effect, and which show a like potential for abuse;

XV. "Cocaine-type drugs" means coco leaves, cocaine, segourine, and chemical compounds which are similar thereto in physiological effect, and which show a like potential for abuse;

XVI. "Controlled drugs" are those drugs and chemicals which contain any quantity of a substance which has been designated as subject to federal narcotic laws, or which has been designated as a depressant or stimulant drug pursuant to federal food and drug laws, or which has been by regulation, after investigation and a hearing designated by the division of public health services as having a stimulant, depressant or hallucinogenic effect upon the higher functions of the central nervous system and as having a potential for abuse or physiological and psychological dependence, or both. The division of public health services shall give due notice of the time, place and purpose of all hearings required under this chapter to podiatrists, osteopaths, hospitals, pharmacists, physicians, dentists, veterinarians, laboratories, registered manufacturers, suppliers and to the general public by such means as it shall deem adequate. From and after the hearing date, the sale or dispensations (except by prescription) of a drug or chemical containing any quantity of such substance as is the subject matter of the hearing shall be suspended pending a determination as to whether such substance is to be designated as a controlled drug.

Designation as a controlled drug shall result in the continued suspension of the sale or dispensation (except by prescription) of any drug or chemical containing any quantity of such substance until the effective date of the designation after publication. The substance shall thereafter be a controlled drug subject to this chapter.

In the event any substance is so designated, the division shall publish the designation in a newspaper of general circulation in the state once each week for three successive weeks. The designation shall be effective and any drug or chemical containing any quantity of such substance shall be a controlled

drug seven days after the date of the last publication of said designation.

Controlled drugs are classifiable as amphetamine-type, barbiturate-type, cannabis-type, cocaine-type, hallucinogenic, morphine-type and other stimulant and depressant drugs. Specifically excluded from controlled drugs are alcohol, nicotine and caffeine;

XVII. "Drug abuser" means any person who uses controlled drugs solely for their stimulant, depressant, or hallucinogenic effect upon the higher functions of the central nervous system and not as a therapeutic agent recommended by a practitioner in the course of medical treatment or in a program of research operated under the direction of a physician or pharmacologist;

XVIII. "Drug dependence" means a state of physical addiction or psychic dependence, or both, upon a drug following use of that drug upon a repeated periodic or continuous basis except:

(a) Upon a morphine-type drug as an incident to current medical treatment of a demonstrable physical disorder, other than produced by the use of the drug itself, or

(b) Upon amphetamine-type, ataractic, barbiturate-type, hallucinogenic or other stimulant or depressant drugs as an incident to current medical treatment of a demonstrable physical or psychological disorder, or both, other than produced by the drug itself;

XIX. "Drug dependent person" means any person who has developed a state of psychic or physical dependence, or both, upon a controlled drug following administration of that drug upon a repeated periodic or continuous basis. No person shall be classified as drug dependent who is dependent:

(a) Upon a morphine-type drug as an incident to current medical treatment of a demonstrable physical disorder other than drug dependence, or

(b) Upon amphetamine-type, ataractic, barbiturate-type, hallucinogenic or other stimulant and depressant drugs as an incident to current medical treatment of a demonstrable physical or psychological disorder, or both, other than drug dependence;

XX. "Hallucinogenic drugs" are psychodysleptic drugs which assert a confusional or disorganized effect upon mental processes or behavior and mimic acute psychotic disturbances. Exemplary of such drugs are mescaline, peyote, psilocybin and d-lysergic acid diethylamide;

XXI. "Morphine-type drugs" means morphine and chemical compounds which are similar thereto in chemical structure or which are similar thereto in physiological effect, and which show a like potential for abuse;

XXII. "Other stimulant and depressant drugs" means controlled drugs other than amphetamine-type, barbiturate-type, cannabis-type, cocaine-type, hallucinogenics and morphine-type which are found to exert a stimulant and depressant effect upon the higher functions of a central nervous system and which are found to have a potential for abuse;

3 Program Established. Amend RSA 172 by inserting after section 2 the following new section: 172:2-a Program Established. There shall be a program within the division of mental health of the department of health and welfare to provide for the scientific care, treatment, and rehabilitation of alcohol and drug abusers, and to prevent and control alcohol and drug abuse within the state through education, community organization, and research.

4 Duties of Executive Director. Amend RSA 172:8 as amended by 1961, 222:1 by striking out said section and inserting in place thereof the following:

172:8 Duties of Executive Director. Subject to the direction, approval, and supervision of the director of the division of mental health, department of health and welfare, the executive director shall:

I. Study the problems presented by alcohol and drug abuse, including methods and facilities available for the care, custody, detention, treatment, employment, and rehabilitation of persons who are alcoholics, alcohol abusers, drug dependent, or are drug abusers.

II. Disseminate information on the subjects of alcohol and drug abuse for the guidance and assistance of individuals, schools, courts, and other public and private agencies.



III. Promote meetings and programs for the discussion of alcoholism, alcohol and drug dependency and abuse or any of its aspects for the guidance and assistance of individuals, schools, courts, and other public and private agencies.

IV. Conduct, promote and finance, in full or in part, studies, investigation and research, independently or in cooperation with academic institutions, scientific organizations, or state and federal agencies, dealing with the physical, psychological, and social aspects of alcohol and drug abuse.

V. Have the authority to accept or reject for examination, diagnosis, guidance, and treatment, insofar as funds permit, any resident of the state who comes to the division voluntarily for advice and treatment.

VI. Make and enforce rules and regulations respecting the acceptance, care, treatment and discipline of alcoholics, drug dependent persons, and alcohol or drug abusers who are patients of the division, and make rules restricting the release of information regarding said patients.

VII. Render biennially to the governor and council and to the general court a report of his activities including recommendations for changes in the laws relating to alcohol and drug abuse.

VIII. Coordinate community medical resources for the emergency medical care of persons suffering acute mental or physical reaction to alcohol or drugs and of persons suffering drug dependency.

IX. Employ such assistants as may be necessary to carry out the purposes of this chapter, in accordance with state personnel regulations, and within available appropriations and funds.

5 Acceptance of Grants. Amend RSA 172:9 as amended by 1961, 222:1 by striking out in line one the words "public health services" and inserting in place thereof the words (mental health) and by striking out in line five the word "division" and inserting in place thereof the following (program on alcohol and drug abuse control) so that said section, as amended, shall read as follows: 172:9 Acceptance of Grants. The division of mental health, department of health and welfare, is authorized to accept in the name of the state special grants of money or



services from the federal or state governments or any of their agencies and may accept gifts to carry on the activities of the program on alcohol and drug abuse control.

6 Facilities and Personnel. Amend RSA 172:10 as amended by 1961, 222:1 by striking out in lines three and seven the words "public health services" and inserting in place thereof the words (mental health), by striking out in line six the word "act" and inserting in place thereof the word (chapter) and by striking out in line seven the word "executive" so that said section as amended shall read as follows: 172:10 Facilities and Personnel. On the recommendation of the director, and within the limits of available appropriations and funds, the division of mental health, department of health and welfare, may contract for such educational, research, casework, institutional, medical facilities, personnel and services of public or private agencies as are necessary or desirable to carry out the provisions of this chapter. On recommendation of the director, the division of mental health, department of health and welfare, may assign for training such medical, technical and clinical personnel as may be desirable.

7 Commitment of Drug Dependent Persons. Amend RSA 172:13 as amended by 1967, 229:1 by inserting after paragraph II the following new paragraphs:

II-a. When a person is indicted for any felony, is bound over by any district or municipal court to await the action of the grand jury for any felony, or is charged with a misdemeanor and a question as to the drug dependency of said person is raised by either party, any justice of the superior, district, or municipal court may after hearing order such person into the care and custody of the executive director for examination to determine whether said person is drug dependent. The executive director shall report the result of his findings to the court in writing.

II-b. If a person examined pursuant to the provisions of paragraph II-a is found to be drug dependent, the superior court for the county in which the crime was allegedly committed may, after hearing, without regard to the result of the criminal action, issue an order committing said person to the care and custody of the executive director for a period of not more than twenty-four months. The executive director may

require that said person remain at the state hospital or may release him conditionally for treatment at an alcoholic-drug abuse clinic, a mental health clinic or center, an outpatient facility of the state hospital or other appropriate treatment facility. A violation of the conditions of release shall empower the executive director to return said person to inpatient status at the state hospital. The executive director may at any time during the twenty-four month commitment period petition the committing court to modify the conditions of or to terminate said commitment period. A writ of habeas corpus shall lie in favor of a patient of the program for any abuse of discretion on the part of the executive director regarding conditional release.

II-c. Nothing in this section shall prevent the court from placing a person convicted of a violation of RSA 318-B on probation conditioned upon the requirement that the person receive treatment at a treatment facility (alcohol-drug abuse clinic, mental health clinic or center, or outpatient facility of the New Hampshire hospital or other appropriate treatment facilities) designated by the executive director of the program on alcohol and drug abuse.

8 Appropriation; Division of Mental Health. The following sums are appropriated in the budget of the division of mental health of the department of health and welfare in addition to any other sums appropriated for said division for said fiscal years in order to implement the program of alcohol and drug abuse as established by this act:

	1970	1971
Personnel Services		
Educational Coordinator	\$9,020	\$9,550
Senior Psychiatric Social Worker	8,280	8,780
Clerk Steno II	3,969	4,158
Other (Medical, Legal, Consultants)	11,520	11,520
	<hr/>	<hr/>
	\$32,789	\$34,008
Current Expense	2,000	2,000
Travel		
In-state	900	900
Out-of-state	800	800
	<hr/>	<hr/>
	1,700	1,700
Equipment	1,115	
	<hr/>	<hr/>
GRAND TOTAL	\$37,606	\$37,708

The governor is authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.

9 Appropriation; Department of Education. The following sums are appropriated in the budget of the department of education in addition to any other sums appropriated for said department for said fiscal years in order to implement the program of drug and alcohol abuse control as established by this act:

	1970	1971
Personnel Services		
Consultant, Health-Physical Education	\$11,140	\$11,140
½ Clerk-Stenographer II	2,363	2,363
	<hr/>	<hr/>
	\$13,503	\$13,503
Current Expenses		
Supplies	\$575	\$575
Periodicals and Pamphlets	125	125
Telephone	300	300
Postage	300	300
Rent	600	600
	<hr/>	<hr/>
	\$1,900	\$1,900
Equipment	\$1,530	
Travel		
In-state	\$800	\$800
Out-of-state	200	200
	<hr/>	<hr/>
	\$1,000	\$1,000
Employee Benefits	\$1,350	\$1,350
Curriculum and Conference	\$1,000	\$1,000
	<hr/>	<hr/>
GRAND TOTAL	\$20,283	\$18,753

The governor is authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.

10 Appropriation; Division of State Police. The following sums are appropriated in the budget of the division of state police of the department of safety in addition to any other sums appropriated for said division for said fiscal years in order to implement the program of drugs and alcohol abuse control as established by this act:

	1970	1971
I. Control of Illicit Drugs		
Personnel Services — Drug Control		
Salaries — 5 Troopers	\$29,624	\$31,385
Employee Benefits		
Health and Life Insurance	\$234	\$234
Retirement and OASI	2,755	2,982
	<hr/>	<hr/>
	\$2,989	\$3,216
Travel		
In-state		
Mileage (.045 per mile)	\$7,650	\$7,650
Meals	2,000	2,000
	<hr/>	<hr/>
	\$9,650	\$9,650
Equipment		
Personal — uniforms, weapons and accessories	\$3,000	.....
Photographic	600	.....
Automobiles	12,715	.....
	<hr/>	<hr/>
	\$16,315	.....
Sub-total I	\$58,578	\$44,251
II. Drug Identification Unit		
Personnel Services		
Chemist III (Stationed at Public Health Laboratory	\$8,650	\$9,163
3 Laboratory Technicians (Based on 5 Troopers)	18,900	20,139
Clerk Steno II	3,969	4,158
Other Pers. Services (Consultants)	3,000	3,000
Other Exp. — OASI, Retirement & Ins.	3,500	3,614
	<hr/>	<hr/>
	\$38,019	\$40,074
Current Expenses		
Supplies	4,800	4,800
Travel		
In-state	\$600	\$600
Out-of-state	1,200	1,200
	<hr/>	<hr/>
	\$1,800	\$1,800
Equipment		
Ultraviolet recording spectrophotometer	\$4,500	.....
Thin Layer Chrometography	500	.....
Electric Oven	400	.....
Ultraviolet Light System	600	.....
Laboratory Benches	2,000	.....
Miscellaneous	500	\$2,000
	<hr/>	<hr/>
	\$8,500	\$2,000
Sub-total II	\$53,119	\$48,674
GRAND TOTAL (I and II)	\$111,697	\$92,925

The governor is authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.

11 Repeal. RSA 172:2, relating to the purpose of a state program of alcoholism control, is hereby repealed.

12 Effective Date. This act shall take effect sixty days after its passage.

At the request of Rep. Fortin, Rep. Zachos explained the bill and amendment.

(discussion ensued)

Rep. Stafford moved that an amendment be substituted for the committee amendment.

The Clerk began to read the amendment.

Rep. Stafford moved to dispense with the reading of the amendment.

Rep. Angus moved that the Clerk read the amendment in full.

Rep. Stafford spoke against the motion.

Rep. Angus withdrew his motion.

### PARLIAMENTARY INQUIRY

Rep. Greenwood rose on a point of parliamentary inquiry.

The Speaker stated the vote would be on the suspension of the reading of the amendment.

Rep. Greenwood spoke against the motion and moved that the amendment be printed in the journal.

The Speaker ruled that the motion was out of order as Rep. Greenwood had spoken before making his motion.

At the request of Rep. Trowbridge, Rep. Stafford answered questions.

### PARLIAMENTARY INQUIRY

Rep. George Roberts rose on a point of parliamentary inquiry.

Rep. Brummer spoke in favor of the motion and against the amendment.

At the request of Rep. Cares, Rep. Stafford answered questions.

Rep. Trowbridge spoke in favor of the motion.

At the request of Rep. Elmer Johnson, Rep. Zachos answered questions.

Rep. Logan asked the Speaker if it would be proper to read that part of the amendment which changed the committee amendment.

Rep. Stafford explained his amendment.

### PARLIAMENTARY INQUIRY

Rep. Stevenson rose on a point of parliamentary inquiry.

The Speaker stated that if the motion fails the Clerk will be instructed to read the proposed amendment in full.

Rep. Zachos spoke in favor of the motion.

The question being on the motion to dispense with the reading of Rep. Stafford's proposed amendment.

Motion adopted by vv.

Rep. Stafford explained the proposed amendment.

At the request of Reps. George Roberts and Andrews, Rep. Stafford answered questions.

(discussion ensued)

Reps. Zachos, Brungot, Cochrane, Coutermarsh, and Angus spoke against Rep. Stafford's proposed amendment.

Rep. Vachon moved the previous question and it was sufficiently seconded.

The question being, shall the main question now be put.

Motion adopted by vv.

The question now being on the motion of Rep. Stafford that his proposed amendment be substituted for the committee amendment.

Motion lost by vv.



The question now being on the adoption of the committee amendment.

Amendment adopted by vv.

Referred to Appropriations under the Rules.

Rep. Trowbridge moved that the Rules of the House be so far suspended to dispense with printing and public hearing on HB 454, "to provide for a tax on business and corporate incomes and enacting the uniform division of income for tax purposes act," and that the referral of said bill to committee be vacated and that consideration of said bill be taken up at the present time.

Motion adopted by vv.

Rep. Trowbridge moved that HB 454 be reported "inexpedient to legislate."

Resolution adopted by vv.

### QUALIFIED

Rep. Alf Halverson appeared before His Excellency Governor Walter Peterson and was duly qualified as a member of the House.

\* \* \*

On motion of Rep. O'Neil the House adjourned from the early session, and the Rules of the House were so far suspended as to permit the reading of bills by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

### LATE SESSION

The following bills and HCR 7 were read a third time, passed, and sent to the Senate for concurrence:

HB 619, relative to appeals in proceedings relating to banks.

HB 631, relative to recounts of referendum votes on amending the constitution.

HB 647, relative to establishment and validation of adult education and related course instruction programs.

HB 648, changing the name of Nigger Island in Hanover to Gilman Island.

HB 444, establishing an interstate compact on mentally disordered offenders.

HB 525, amending certain pension acts of the city of Manchester.

HB 601, relative to insurance benefit payments by the city of Manchester to retired city employees.

HB 493, to provide for enforcement of the Historic District Act in municipalities where there are no zoning ordinances.

HB 522, allowing the state board of examiners of psychologists to set renewal fees for psychologists.

HCR 7, concerning pure water in New Hampshire.

HB 152, to prohibit the construction or conversion of structures built over the waters of the state for the purpose of dwelling therein.

HB 539, relative to the manner and number of voter signatures required to allow presidential and vice presidential candidates to have names placed on primary ballot.

HB 657, increasing the size of claims subject to the jurisdiction of small claims court.

HB 574, placing the state motto on certain license plates.

HB 596, providing that pending the appeal of certain out of state motor vehicle convictions an operator may retain his license upon filing recognizance.

HB 656, relative to school driver training programs.

HB 62, enacting the Controlled Drug Act.

### RECONSIDERATION

Rep. Zachos, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 62 and spoke against the motion.

Motion lost by vv.

## RECONSIDERATION

Rep. Kopperl, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 152 and spoke against the motion.

Motion lost by vv.

The following Senate bills were read a third time, passed and sent to the Secretary of State to be engrossed.

SB 1, authorizing the lapse of certain accounts to the general fund and reducing the appropriation to certain departments.

SJR 10, transferring fifty thousand dollars from the unemployment compensation contingency fund to general funds,

\* \* \*

On motion of Rep. LaTour the House adjourned at 1:44 P. M.

---

*Thursday, April 24, 1969*

(Rep. O'Neil in the Chair)

The House met at 11:00 o'clock.

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

(Prayer)

ALL-WISE GOD, our FATHER, who in wisdom has both created and sustained the world in which we live, grant us the joy and the happiness of finding true wisdom. We desire our ways to be ways of love, and our paths to be paths of peace. Help us to improve the quality of our lives in useful and in meaningful service, ever directed toward goals worthy of our involvement. Teach us, O GOD, the wisdom of Thy law, which is the very moral basis of life. Enable us to pattern our lives upon the fabric of truth, weaving together both wisdom and knowl-

edge. Endow us with courage as we carefully choose our way, avoiding those entanglements that would mock truth and crucify freedom. In finding wisdom for ourselves we would desire this blessing also for others. We would pray for wisdom to be given unto all in places of responsibility, that the years of our lives may not be known as the era of the foolish, but as an era of the wise. This we pray in the name of Him who reveals unto us Thy Wisdom and Thy Love. Amen.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Chasse led the House in the Pledge of Allegiance to the Flag.

### LEAVES OF ABSENCE

Rep. Thomas Manning was granted an indefinite leave of absence on account of illness.

Rep. Brown was granted leave of absence for the day on account of illness.

Rep. Hamel was granted leave of absence for the day on account of important business.

### RESOLUTION

Rep. McMeekin offered the following resolution:

*Resolved*, that in accordance with the list in the possession of the clerk, House Bills numbered 751, 752 and 767 through 792 and House Joint Resolutions numbered 63 through 65 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.

(Speaker in the Chair)

### INTRODUCTION OF BILLS

The following bills and joint resolutions were read a first and second time, laid on the table for printing and referred as follows:

HB 751, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1970. (Eaton of Hillsboro Dist. 2 — To Appropriations.)

HB 752, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1971. (Eaton of Hillsboro Dist. 2 — To Appropriations.)

HB 767, establishing a department of traffic for the city of Manchester. (Casey of Hillsboro Dist. 32 — To Manchester Delegation.)

HB 768, relative to the procedure after a report of an accident involving motor vehicles. (Claflin of Carroll Dist. 7 — To Transportation.)

HB 769, relative to evidence in criminal proceedings for misdemeanors. (Claflin of Carroll Dist. 7 — To Judiciary.)

HB 770, requiring recording of liens for taxes other than real estate, head and poll taxes. (Nixon of Hillsboro Dist. 5 — To Municipal & County Government.)

HB 771, relative to discrimination in housing. (Carrier of Hillsboro Dist. 27, O'Neil of Cheshire Dist. 12 — To Judiciary.)

HB 772, relative to possession of certain weapons by persons under the age of eighteen years. (Hall of Rockingham Dist. 4 — To Judiciary.)

HB 773, relative to the disposition of certain municipal records. (Mitchell of Grafton Dist. 19 — To Statutory Revision.)

HB 774, relative to Tilton School. (Randall of Belknap Dist. 3, Roberts of Belknap Dist. 3 — To Statutory Revision.)

HB 775, relative to the effective date of certain regulations concerning child-caring agencies. (Sweeney of Hillsboro Dist. 36 — To Labor, Human Resources & Rehabilitation.)

HB 776, allowing the town of Bristol to combine the office of the town clerk with that of tax collector, and that said officer shall be appointed by the board of selectmen. (Hopkins of Grafton Dist. 16 — To Municipal & County Government.)

HB 777, adopting the model state trademark act. (Goode of Hillsboro Dist. 26 — To Statutory Revision.)

HB 778, providing real estate tax exemptions for persons seventy years of age. (Hopkins of Grafton Dist. 16. Wilfred Boisvert of Hillsboro Dist. 20 — To Ways & Means.)

HB 779, amending the definition of uninsured motor vehicle. (Nixon of Hillsboro Dist. 5 — To Banks & Insurance.)

HB 780, relative to the labeling of containers of filled or imitation milk. (Raiche of Hillsboro Dist. 34, Cares of Hillsboro Dist. 24, Wallin of Hillsboro Dist. 14 — To Agriculture.)

HB 781, establishing an interim commission to investigate the practices of finance companies in the state of New Hampshire. (Murphy of Strafford Dist. 18 — To Banks & Insurance.)

HB 782, to transfer the functions of the training, education, and vocational rehabilitation of the blind from the department of health and welfare to the department of education. (Greene of Rockingham Dist. 22, Wallin of Hillsboro Dist. 14 — To Labor, Human Resources & Rehabilitation.)

HB 783, relative to the size of voting booths. (Blain of Grafton Dist. 15 — To Statutory Revision.)

HB 784, relative to the fee payable by nonresident fur buyers. (Blain of Grafton Dist. 15 — To Fish & Game.)

HB 785, relative to transfers between line items in municipal budgets. (Greene of Rockingham Dist. 22 — To Municipal & County Government.)

HB 786, to authorize towns and cities to increase motor vehicle permit fees. (Cares of Hillsboro Dist. 24, Zachos of Hillsboro Dist. 27 — To Statutory Revision.)

HB 787, amending the mayor-council charter of the city of Dover relative to the mayor's salary. (Maglaras of Strafford Dist. 20, Murphy of Strafford Dist. 18 — To Dover Delegation.)

HB 788, amending both charters of the city of Dover relative to increasing the councilmen's compensation. (Maglaras of Strafford Dist. 20, Murphy of Strafford Dist. 18 — To Dover Delegation.)

HB 789, authorizing real estate exemptions for certain elderly persons. (Morrison of Rockingham Dist. 7, Gardner of Hillsboro Dist. 28, Cournoyer of Cheshire Dist. 6, Murphy of Strafford Dist. 18, Nixon of Hillsboro Dist. 5, Levesque of Straf-



ford Dist. 13, Weillbrenner of Hillsboro Dist. 4, Bednar of Hillsboro Dist. 23 — To Ways & Means.)

HB 790, relative to the bank advisory board. (Mackintosh of Sullivan Dist. 2 — To Banks & Insurance.)

HB 791, allowing members of the general court to work at the race track on non-legislative days. (Coutermarsh of Hillsboro Dist. 22 — To Legislative Revision.)

HB 792, relative to confinement of dogs. (Welch of Merrimack Dist. 18 — To Municipal & County Government.)

HJR 63, to make a study of the effectiveness of the laws relating to access to and use of tax supported public buildings by the physically handicapped. (Cate of Merrimack Dist. 20, Coutermarsh of Hillsboro Dist. 22 — To Labor, Human Resources & Rehabilitation.)

HJR 64, directing the department of education to make a study of the use of its facilities and staff for the education of handicapped persons. (Noyes of Coos Dist. 1, Wallin of Hillsboro Dist. 14 — To Education.)

HJR 65, to direct a study of the practicability of developing semi-professional and clerical specialists to relieve the manpower shortage in rehabilitation work. (Thompson of Strafford Dist. 11, Coutermarsh of Hillsboro Dist. 22 — To Labor, Human Resources & Rehabilitation.)

Rep. Newell requested unanimous consent to address the House. Such consent being granted, Rep. Newell addressed the House.

Rep. Newell was concerned with the introduction of bills, (HB 751, and HB 752, in particular) without contents or substance and, stated that the purpose of the three several readings in the passage of bills are to "prevent hasty and ill-considered legislation, surprise or fraud, and to inform the legislature and the public of the contents of the bill". (Masons' Manual of Legislative Procedure, Section 720:2)

#### SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 87, relative to the distribution to and counting of ballots in additional polling places.

HB 381, relative to the filing of a financial statement by organizations seeking tax exemptions.

#### FURTHER SENATE MESSAGE, INTRODUCTION OF SENATE BILL, SJR, AND REFERRAL

The following Senate Bill and Senate Joint Resolution were read a first and second time and referred as follows:

SB 182, amending the housing authorities law to provide additional dwelling units for families of low income. — Municipal and County Government.

SJR 13, appropriating additional funds to be used by the division of welfare in the department of health and welfare to provide usual and customary and reasonable cost payments to providers of medical services. — Appropriations.

Rep. Drake, Chairman of the Rules Committee offered the following resolution:

#### RESOLUTION

Be it resolved, that any request of a member of the House, on file in the office of Legislative Services, for which sufficient information to draft a final bill has not been supplied, shall become null and void and a bill will not be drafted if sufficient information is not supplied to the office of Legislative Services by 5:00 p.m. on Thursday, May 1, 1969.

\* \* \*

Resolution adopted by vv.

#### COMMITTEE REPORTS

##### HJR 60

in favor of L. Scott MacDonald. Inexpedient to legislate. Rep. Mousseau for Claims, Military and Veterans Affairs.

Resolution adopted by vv.

##### HB 517

relative to fees for licensed practical nurses. Ought to pass with amendment. Rep. Chris Andersen for Public Health, Welfare and State Institutions.

## AMENDMENT

Amend the title of said bill by striking out the same and inserting in place thereof the following:

## AN ACT

relative to the licensing law for practical nurses.

Amend section 3 of the bill by striking out the same and inserting in place thereof the following new sections:

3 Suspension and Revocation. Amend RSA 326 by inserting after section 27 the following new section: 326:27-a Suspension and Revocation. The board may for good cause, suspend or revoke any license or certificate of registration. No certificate shall be suspended or revoked until after a hearing before the board upon written notice of fourteen days. Such notice shall be served personally or by registered mail and shall set forth the date and place of the hearing and the grounds constituting the charges against the person complained of. All hearings shall be private except upon request of the party involved.

4 Effective Date. This act shall take effect upon its passage.

Amendment adopted and the bill ordered to third reading by vv.

**HB 291**

increasing the appropriation for town road aid. Ought to pass with amendment. Rep. Mann for Public Works.

## AMENDMENT

Amend section 1 of the bill by striking out in line six the words "two million" and inserting in place thereof the words (one million seven hundred fifty) so that said section as amended shall read as follows:

1 Apportionment A. Amend RSA 241:2 (a) (supp) as amended by 1957, 273:3; 1965, 261:1 and 1967, 280:1 by striking out in line two the words "one million four hundred thousand dollars" and inserting in place thereof the following (two million dollars) so that said subparagraph as amended shall read as follows: (a) APPORTIONMENT A. The commissioner shall apportion, on the basis of a sum of not less than one million seven hundred fifty dollars, to each city, town and unincorporated place, an amount based on the proportion which the

mileage of the regularly maintained Class IV and Class V highways in that city, town or unincorporated place as of January 1 of the previous year, bears to the total mileage of the regularly maintained Class IV and Class V highways in the state as of that date. Any city or town issuing bonds or long term notes to accelerate the improvement of its Class IV and Class V highways may apply any part of the funds herein apportioned, for a period not to exceed five years or with the approval of the commissioner for a period not to exceed ten years, to aid in the retirement of such bonds or notes.

Further amend the bill by striking out section 2 and inserting in place thereof the following new sections:

2 Town Aid. Amend RSA 241 by inserting after section 13 the following new section: 241:14 Towns Entitled to Class IV and Class V Construction, Reconstruction or Betterment Aid. Any city, town or unincorporated place which has completed its Class II highways, shall be entitled to apply for aid for purposes of construction, reconstruction, resurfacing and bridge inspection of Class IV and Class V highways. Any city, towns or unincorporated place which has uncompleted portions of its Class II highways, shall also be entitled to apply for Class IV and Class V highway aid for any one year, provided it shall raise and appropriate for the same year such sums for construction of its uncompleted Class II highways as may be determined by the commissioner of public works and highways.

3 Effective Date. This act shall take effect July 1, 1970.

\* \* \*

Amendment adopted by vv. Referred to Appropriations under the Rules.

## HB 292

increasing the appropriation for class V maintenance money. Ought to pass with amendment. Rep. Trowbridge for Public Works.

## AMENDMENT

Amend section 1 of the bill by striking out in lines thirteen and sixteen the words "four hundred" and inserting in place thereof the words (three hundred fifty) so that said section as amended shall read as follows:

1 Maintenance Allotment. Amend RSA 241:11 (supp) as amended by 1955, 311:3; 1959, 244:1; 1965, 247:1 and 1967, 286:1 by striking out in lines nine and twelve the words "three hundred thousand" and inserting in place thereof the following (four hundred thousand) so that said section as amended shall read as follows: 241:11 Maintenance Allotment by State. In addition to any funds hereinbefore apportioned for construction and reconstruction purposes the commissioner, in the month of July in each year, shall allot to each town a sum sufficient, when added to the amount which would be derived by a tax of eleven cents on each one hundred dollars of the town's last equalized valuation, to equal one hundred seventeen dollars for each mile of regularly maintained class V highway in such towns, except that for any year in which the total allocated to the towns under this formula shall be less than three hundred fifty thousand dollars, the commissioner shall use such other figure in place of the one hundred seventeen dollars for each mile of regularly maintained class V highway as may be necessary to make the total allotment not less than three hundred fifty thousand dollars. The same so allotted shall be used for the care and maintenance of class V highways and for no other purpose, under the supervision of the commissioner, and shall be expended in accordance with specifications provided by the commissioner under the direction of a person or persons appointed by the selectmen of the town.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Effective Date. This act shall take effect on July 1, 1970.

\* \* \*

Amendment adopted by vv. Referred to Appropriations under the Rules.

#### **HB 639**

to establish a commission to study tidal wetlands. Ought to pass. Rep. Claflin for Resources, Recreation and Development.

Ordered to third reading by vv.

#### **HB 645**

to establish a commission to study inland wetlands. Ought to pass. Rep. Claflin for Resources, Recreation and Development.

Ordered to third reading by vv.

**HB 365**

relative to procedure for re-assessment of taxes by tax commission. Inexpedient to legislate. Rep. Storm for Ways and Means.

Rep. Ratoff moved that the words "Ought to pass with amendment" be substituted for the committee report "Inexpedient to legislate."

Amend RSA 71:12, I, (supp) as amended by section 1 of the bill by inserting in line one after the word "it" the following (by a property owner), and by striking out in line one the word "sixty" and inserting in place thereof the word (ninety) so that said paragraph as amended shall read as follows:

I. When a specific written complaint is filed with it, by a property owner, within ninety days of the date on which the last tax bill on the original warrant is sent by the collector of taxes of the taxing district, that a particular parcel of real estate or item of personal property not owned by him has been fraudulently, improperly, unequally or illegally assessed, the complainant shall pay a fee of ten dollars for each specific particular parcel or specific item of personal property complained of. The tax commission shall send notice by certified mail to the taxpayer against whose property the complaint is made.

Amend RSA 71:12, IV, (supp) as amended by section 1 of the bill by inserting in line five after the word "district" the following (whichever is less) so that said paragraph as amended shall read as follows:

IV. When a complaint is filed with the commission alleging that all of the taxable real estate or taxable property in a taxing district should be re-assessed for any reason, the complaint must be signed by at least fifty property taxpayers or one third of the property taxpayers in the taxing district, whichever is less.

2 Effective Date. This act shall take effect sixty days after its passage.

\* \* \*

On motion of Rep. Ratoff the reading of the amendment was dispensed with.

Rep. Ratoff spoke in favor of the motion.



At the request of Reps. McMeekin and Hackler, Rep. Ratoff answered questions.

The question now being on the motion of Rep. Ratoff that the words "Ought to pass with amendment" be substituted for the committee report "Inexpedient to legislate."

Motion adopted by vv.

Ordered to third reading by vv.

#### **HB 402**

relative to the assessment of taxes on electrical plants and pipelines. Inexpedient to legislate. Rep. Lawton for Ways and Means.

Resolution adopted by vv.

#### **HB 440**

increasing the interest and dividends exemption and the rate of such tax. Inexpedient to legislate. Rep. Fiske for Ways and Means.

At the request of Rep. George Roberts, Rep. Ratoff answered questions.

(discussion ensued)

Resolution adopted by vv.

#### **HB 496**

to tax gains realized upon the sale of certain tax exempt real property. Inexpedient to legislate. Rep. Casey for Ways and Means.

Resolution adopted by vv.

#### **HB 649**

exempting certain property of the Manchester Historic Association from taxation. Ought to pass. Rep. Leavitt for Ways and Means.

Ordered to third reading by vv.

#### **HJR 19**

establishing a committee to investigate and recommend means of alleviating the real estate burden on the elderly. That it be referred to Legislative Council. Rep. Head for Ways and Means.

Referred to Legislative Council.

**HB 416**

relative to salaries of Hillsborough county sheriff and deputy sheriffs. Ought to pass with amendment. Rep. Sweeney for Hillsborough County Delegation.

**AMENDMENT**

Amend RSA 104:29, IX, as inserted by section 2 of the bill by striking out in lines four and five the words "and he shall not be allowed the established rates for mileage allowable to other sheriffs" and inserting in place thereof the following (as authorized by the county commissioners) and by striking out in line seven the words "a justice of the superior court" and inserting in place thereof the following (the county commissioners) so that said paragraph as amended shall read as follows:

IX. In Hillsborough the annual salary of the sheriff shall be fifteen thousand dollars. Said salary shall be payment in full for all his services to the county. The county shall provide him with suitable transportation as authorized by the county commissioners. He shall be allowed reasonable expenses incurred during the performance of his duties and such expenses shall be subject to the approval of the county commissioners. For the service of civil writs and other process which he may perform he shall collect the usual fees allowed for such services and mileage and shall pay over directly to the county treasurer all such fees and mileage charges at the end of each month. He shall in his annual report to the county commissioners report the number of civil writs and other process served and the total amounts collected in fees and mileage charges paid over to the treasurer during the calendar year.

Amend RSA 104:3-d, I, (b) as inserted by section 3 of the bill, by striking out in line one the word "seven" and inserting in place thereof the word (five) so that said subparagraph as amended shall read as follows:

(b) five deputy sheriffs, each of whom shall be paid an annual salary of not less than eight thousand five hundred dollars and not more than ten thousand dollars.

Amend RSA 104:3-d, II, as inserted by section 3 of the bill, by striking out in line two the word "authorize" and inserting in place thereof the following (request from the county

commissioners) so that said paragraph as amended shall read as follows:

II. For each year of service after January 1, 1969, the sheriff may, in his discretion, request from the county commissioners a salary increase for the chief deputy sheriff and the deputy sheriffs amounting to one fifth of the difference between the minimum and the maximum salaries as set forth in paragraph I, but in no case shall the total salary exceed the maximum as herein established.

Amend RSA 104:3-d, IV (a) as inserted by section 3 of the bill by striking out in lines two and three the words "and they shall not be allowed the statutory rates for mileage allowable to deputy sheriffs in other counties" and inserting in place thereof the following (as authorized by the county commissioners) so that said subparagraph as amended shall read as follows:

(a) shall be provided by the county with suitable transportation as authorized by county commissioners;

Amend RSA 104:3-d, IV (b) as inserted by section 3 of the bill, by striking out in line three the words "a justice of the superior court" and inserting in place thereof the following (the county commissioners) so that said subparagraph as amended shall read as follows:

(b) shall be allowed reasonable expenses incurred during the performance of their duties, and such expenses shall be subject to the approval of the county commissioners;

Amend section 5 of the bill by striking out said section and inserting in place thereof the following:

5 Effective Date. This act shall take effect July 1, 1969.

\* \* \*

Amendment adopted by vv.

Rep. Lambert offered the following proposed amendment.

The Clerk read the proposed amendment in full.

At the request of Rep. Sweeney, Rep. Lambert answered questions.

Reps. Sweeney and Nixon spoke against the proposed amendment of Rep. Lambert.

At the request of Rep. deBlois, Rep. Nixon answered questions.

Rep. Lambert spoke in favor of the proposed amendment.

Rep. Healy spoke against the proposed amendment of Rep. Lambert.

(discussion ensued)

Rep. Storm spoke against the proposed amendment of Rep. Lambert.

The question being on the Lambert amendment.

Amendment lost by vv.

Ordered to third reading by vv.

### CA-CR 23

relating to authorization by the Legislature of the issuance or guarantee of any bonds or notes which are backed by the State's credit. Providing that a two-thirds vote of the membership of both Houses of the Legislature is necessary to pass an act relating to the issuance or guaranteeing of bonds or notes backed by State credit. Ought to pass with amendment. Rep. Aucella for Constitutional Revision.

### AMENDMENT

Amend said resolution by striking out the heading and inserting in place thereof the following:

Concurrent Resolution Proposing Constitutional Amendments Relating to: Authorization by the Legislature of the Issuance or Guarantee of any Bonds or Notes which are Backed by the State's Credit.

Providing that: A Three-fifths Vote of the Membership of Both Houses of the Legislature is Necessary to Pass an Act Relating to the Issuance or Guaranteeing of Bonds or Notes Backed by State Credit.

Further amend said resolution by striking out paragraph I. and inserting in place thereof the following:

I. Resolved, That Part Second of the Constitution of New Hampshire be amended by inserting after Article 5-B (supp) the following new article:

[Art.] 5-C [Bond Issues, State Guarantee of Bonds; A Three-fifths Vote Necessary.] After the adoption of this article it shall require a vote of three-fifths of the total membership of each house of the general court on the question of final passage taken by roll call or division to pass or enact any act or law which:

(a) provides for or authorizes the issuance of any bond or note payable by the state, no matter from what funds or gives the authority to any agency, board, commission or authority, public or private, to issue any bond or note payable by the state; or

(b) authorizes the guaranteeing by the state or any agency, board, commission or authority thereof, of the principal or interest, or both, of any bond, note or debt of any person, party, entity or political subdivision of the state; or

(c) increases any amount, previously authorized, to which the state or any agency, board, commission or authority thereof may issue or guarantee any bond, note or debt which is payable by the state.

Further amend said resolution by striking out paragraph IV. and inserting in place thereof the following:

IV. Resolved, That the sense of the qualified voters shall be taken by ballot upon the following question submitted to them by the General Court:

Are you in favor of amending the constitution to require a three-fifths vote of the total membership of each house of the general court to pass or enact any act or law which authorizes the issuance or guaranteeing by the state or any agency thereof of any bond, note or debt which is payable by the state, or pass or enact any act or law increasing a previous authorization for issuance or guarantee of such bonds, notes or debts?

\* \* \*

At the request of Rep. Zachos, Rep. Aucella explained the amendment.

(discussion ensued)

Rep. Zachos spoke against the amendment.

At the request of Rep. McMeekin, Rep. Zachos answered questions.

Rep. McMeekin spoke against the amendment.

At the request of Rep. Ferguson, Rep. Zachos answered questions.

Rep. Trowbridge moved that CA-CR 23 be indefinitely postponed and spoke in favor of the motion.

Rep. Weeks spoke against the pending motion.

(discussion ensued)

Rep. Eaton spoke against the motion.

At the request of Rep. Trowbridge, Rep. Eaton answered questions.

Rep. O'Neil spoke in favor of the pending motion.

Rep. Weeks moved that CA-CR 23 be recommitted to the committee on Constitutional Revision.

Reps. Frizzell and Trowbridge spoke in favor of the motion.

The question being that CA-CR 23 be recommitted to committee.

Motion adopted by vv.

### **CA-CR 25**

relating to special session organizational meetings of the legislature. Providing that: the legislature shall meet on the first Tuesday of December after the general election only for organizational purposes, and shall start its regular sessions, as now, on the first Wednesday of January. Ought to pass with amendment. Rep. Aucella for Constitutional Revision.

### **AMENDMENT**

Amend [Art.] 3rd. of Part Second of the Constitution of New Hampshire as inserted by paragraph I of the resolution by inserting in line two after the word "Wednesday" the following (after the first Tuesday) so that said Article, as amended, shall read as follows:



[Art.] 3rd. [General Court, When to Meet and Dissolve.] The senate and house shall assemble biennially on the first Wednesday after the first Tuesday of January and at such other times as they may judge necessary; and shall dissolve and be dissolved, the day next preceding the first Tuesday of December biennially and shall be styled THE GENERAL COURT OF NEW HAMPSHIRE.

Amend paragraph VIII. of the resolution by striking out the same and inserting in place thereof the following:

VIII. Resolved, That the sense of the qualified voters shall be taken by ballot upon the following question submitted to them by the General Court: Are you in favor of amending the constitution to provide that the legislature shall meet in December to organize, and that to make this possible the members shall take office on the first Tuesday of December, prior to the opening of the regular session in January?

\* \* \*

Rep. Aucella explained the amendment.

Rep. Aucella answered questions of Rep. Kopperl.

At the request of Rep. Trowbridge, Rep. Kopperl answered questions.

The question being on the amendment as offered by the committee.

Amendment adopted by vv.

### PARLIAMENTARY INQUIRY

Rep. A. George Manning rose on a point of parliamentary inquiry.

Rep. A. George Manning spoke against the amendment.

Rep. O'Neil spoke in favor of the committee report.

(discussion ensued)

Rep. Bowles moved to recommit CA-CR 25 and spoke in favor of the motion.

Reps. Trowbridge, O'Neil and Logan spoke in favor of the motion to recommit.

## PARLIAMENTARY INQUIRY

Reps. Andersen and Bednar rose on a point of parliamentary inquiry.

Rep. Stevenson spoke in favor of the motion.

Motion adopted by vv.

\* \* \*

The Speaker called for the special order for 11:01 on CA-CR 22, relating to: Hillsborough County Attorney. Providing that: The County Attorney in Hillsborough County shall be called a District Attorney. Inexpedient to legislate. Rep. Dudley for Constitutional Revision.

Rep. Nixon moved that the words "Refer to Judicial Council" be substituted for "Inexpedient to legislate" and spoke in favor of the motion.

Rep. Aucella answered questions and spoke in favor of the motion.

Motion adopted by vv.

Rep. Raiche requested unanimous consent to address the House. Such consent being granted, Rep. Raiche addressed the House.

Rep. Nixon moved that the remarks of Rep. Raiche be printed in the Journal.

Rep. Schwaner spoke in favor of the motion.

Rep. Stevenson spoke against the motion.

Reps. A. George Manning, Maloomian, Bowles, Logan and Hamilton spoke in favor of the motion.

## PARLIAMENTARY INQUIRY

Reps. deBlois, Healy and Urie rose on a point of parliamentary inquiry.

The Speaker ruled that a majority vote would order the remarks printed in the Journal.

Rep. Stevenson spoke a second time on the motion and withdrew his objection to printing Rep. Raiche's remarks in the Journal.

Rep. Chris Andersen moved the previous question and it was sufficiently seconded.

Motion adopted by vv.

The question being on Rep. Nixon's motion that the remarks of Rep. Raiche be printed in the Journal.

On a vv the nays appeared to have it and a division was requested.

142 members having voted in the affirmative and 182 in the negative, the motion lost.

### COMMITTEE REPORTS CONTINUED

#### **HB 480**

increasing the salaries of the Hillsborough county attorney and assistant county attorney. Ought to pass. Rep. Sweeney for Hillsborough County Delegation.

Rep. Karnis offered an amendment.

On motion of Rep. Karnis, the reading of the amendment was dispensed with.

Rep. Karnis explained the amendment.

Rep. Healy spoke against the proposed amendment.

Rep. Drabinowicz spoke in favor.

Amendment lost by vv.

Ordered to third reading by vv.

#### **HB 481**

increasing the salaries of the Hillsborough county commissioners. Ought to pass with amendment. Rep. Sweeney for Hillsborough County Delegation.

### AMENDMENT

Amend section 2 of the bill by striking out said section and inserting in place thereof the following:

2 Effective Date. This act shall take effect July 1, 1969.

\* \* \*

Amendment adopted by vv.

Rep. Goedecke offered an amendment.

On motion of Rep. Goedecke the reading of the amendment was dispensed with.

Rep. Goedecke explained the amendment.

Rep. Healy spoke against the proposed amendment.

Amendment lost by vv.

Ordered to third reading by vv.

Rep. LaTour, Chairman of the Hillsborough County Delegation offered the following resolutions.

### RESOLUTIONS

*Whereas*, it is with pleasure we note that Hillsborough County is this year celebrating its 200th Anniversary, therefore be it

*Resolved*, that we, the members of the Honorable Senate and the House of Representatives in General Court convened, do hereby offer our felicitations to Hillsborough County with the hope that this year will mark another memorable milestone in the county history, and be it further

*Resolved*, that a copy of these resolutions be transmitted to Hillsborough County.

\* \* \*

Resolution adopted by vv.

Rep. Maloomian offered the following resolutions.

### RESOLUTIONS

*Whereas*, April 25th is the 52nd anniversary of the slaughter of one and a half million Armenian men, women and children in Turkish Armenia, and

*Whereas*, many descendants of this slaughter have found a new way of life in America, therefore be it

*Resolved*, that when the House adjourns today it adjourn in memory of those whose lives were lost in the massacre.

\* \* \*

Resolution adopted by vv.

Rep. Moran moved that the order whereby HB 763, relative to the powers of the board of education of the union school district of Keene was referred to Education be vacated and the bill referred to the Keene Delegation.

Motion adopted by vv.

Rep. Trowbridge moved that the Rules of the House be suspended to permit a consent calendar day on April 29 under the provisions of proposed Rule 59 provided that during the deliberations a motion for reconsideration shall not lie and that all bills being reported out under Rule 56 be automatically passed over until the next day.

Motion adopted by vv.

### COMMITTEE CHANGE

Rep. Kenneth S. Morrow has also been appointed to the committee on Executive Departments and Administration.

\* \* \*

On motion of Rep. Stafford the House adjourned from the early session, and the Rules of the House were so far suspended as to permit the reading of bills by title only and that when the House adjourns today it be in memory of the victims of the Armenian massacre and it be to meet on Tuesday next at 11:00 o'clock.

### LATE SESSIONS THIRD READINGS

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 517, relative to the licensing law for practical nurses.

HB 639, to establish a commission to study tidal wetlands.

HB 645, to establish a commission to study inland wetlands.

HB 365, relative to procedure for re-assessment of taxes by tax commission.

HB 649, exempting certain property of the Manchester Historic Association from taxation.

HB 416, relative to salaries of Hillsborough county sheriff and deputy sheriffs.

## RECONSIDERATION

Rep. Healy having voted with the majority, moved that the House reconsider its vote whereby it passed HB 416 and spoke against the motion.

Motion lost by vv.

## THIRD READINGS CONTINUED

HB 480, increasing the salaries of the Hillsborough county attorney and assistant county attorney.

The question being on final passage of HB 480.

On vv the motion lost, and a division was requested.

## PARLIAMENTARY INQUIRY

Rep. Healy rose on a point of parliamentary inquiry.

191 members having voted in the affirmative and 44 in the negative, the motion passed by the required two-thirds vote.

## RECONSIDERATION

Rep. Healy, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 480 and spoke against the motion.

Motion lost by vv.

## THIRD READINGS CONTINUED

HB 481, increasing the salaries of the Hillsborough county commissioners.

## RECONSIDERATION

Rep. Healy, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 481 and spoke against the motion.

Motion lost by vv.

\* \* \*

On motion of Rep. Schwaner the House adjourned at 2:00 p.m. in memory of the victims of the Armenian massacre.



*Tuesday, April 29, 1969*

The House met at 11:00 o'clock.

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

We adore Thee, O God, because Thou has revealed Thyself unto us through the words of the Prophets and the example of Jesus Christ. We praise Thee, O Christ, because Thou hast opened our eyes to the Wisdom and Love of the Eternal God. We open our minds, O Holy and Living Spirit, because Thou dost apply the challenge of truth to our lives today. Move the nations of the world to open their councils to Thy counsel, breaking down all the barriers which doth prevent peace. May Thy Presence be found in all areas of our daily endeavors, in every arena where Truth is on trial, and in every life that desires the triumph of right over wrong. Bring hope to the hopeless, strength to the weak, healing to the suffering, and comfort to those bereaved. So guide and direct us today that we may take the dark and dismal world and by Thy Love and Power make it bright and beautiful in Thy Name. Amen.

#### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Junkins led the House in the Pledge of Allegiance to the Flag.

#### LEAVES OF ABSENCE

Rep. Bridges was granted leave of absence for the day on account of illness.

Rep. Stuart Allan was granted leave of absence for today and tomorrow on account of illness.

Rep. Harriet Richardson was granted leave of absence for the day on account of illness in the family.

Reps. Edward Johnson, Mousseau and Berkey were granted leave of absence for the day on account of important business.

Rep. Sears was granted leave of absence for the week on account of important business.

## RESOLUTION

Rep. McMeekin offered the following resolution:

*Resolved*, that in accordance with the list in the possession of the clerk, House Bills numbered 793 through 800 and 802 through 804 and House Joint Resolutions numbered 66 and 67 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.

## INTRODUCTION OF BILLS

The following bills and joint resolutions were read a first and second time, laid on the table for printing and referred as follows:

HB 793, relative to authorized regional enrollment areas. (Raiche of Hillsboro Dist. 34 — To Education.)

HB 794, relative to procedure of state administrative agencies and review of their determinations. (Trowbridge of Cheshire Dist. 4 — To Judiciary.)

HB 795, relative to conflict of interest for certain public officials. (Bednar of Hillsboro Dist. 23 — To Judiciary.)

HB 796, relative to the designation of a class II highway in Walpole. (Johnson & Ballam of Cheshire Dist. 1 — To Public Works.)

HB 797, relative to compensation of vocational rehabilitation counselors in the department of education. (Bowles of Rockingham Dist. 25, Coutermarsh of Hillsboro Dist. 22 — To Education.)

HB 798, to reform the costs for divorce and to provide for representation of children in divorce proceedings. (Johnson of Grafton Dist. 9 — To Judiciary.)

HB 799, relative to service of process on domestic corporations whose clerk has become incapacitated. (Martin of Belknap Dist. 8 — To Statutory Revision.)

HB 800, relative to the legitimate killing of dogs. Karnis of Hillsboro Dist. 8 — To Municipal & County Government.)

HB 802, relative to the granting of variances from zoning ordinances. (Tarr of Merrimack Dist. 28 — Municipal & County Government.)

HB 803, legalizing the special town meeting of September 16, 1967 and the regular town meetings of March 12, 1968 and March 11, 1969 held in the town of Hudson. (RULES COMMITTEE for Rep. Bednar of Hillsboro Dist. 23 — To Statutory Revision.)

HB 804, to provide for the orderly and peaceful resolution of disputes between public school teachers and school boards. (Johnson of Grafton Dist. 9, Logan of Sullivan Dist. 1 — To Education.)

HJR 66, directing a study of the need for expanded rehabilitation resources for the early detection of handicapped persons. (Clark of Strafford Dist. 4, Raiche of Hillsboro Dist. 34 — To Labor, Human Resources & Rehabilitation.)

HJR 67, directing the University of New Hampshire to conduct a study to determine the feasibility of developing a department for training teachers, therapists and counselors of handicapped persons. (Clark of Strafford Dist. 4, Raiche of Hillsboro Dist. 34 — To Education.)

## COMMITTEE REPORTS

### HB 696

relative to loans by savings banks. Ought to pass. Rep. Tremblay for Banks and Insurance.

Rep. Newell requested that HB 696 be laid over until tomorrow under Rule 59. Request granted.

\* \* \*

Rep. O'Hara requested a quorum count.

251 members answered the quorum count and the Speaker declared a quorum present.

## PERSONAL PRIVILEGE

Reps. Drake, Urie, McMeekin and O'Neil addressed the House by unanimous consent.

At the request of Rep. Trowbridge, Rep. O'Hara answered a question.

\* \* \*

### COMMITTEE REPORTS CONTINUED

**HB 699**

creating the position of director in the state veterans council. Ought to pass. Rep. Mousseau for Claims, Military and Veterans Affairs.

Ordered to third reading by vv.

**SB 148**

to permit free parking for jurors in attendance at the United States District Court. Ought to pass. Rep. Aucella for Constitutional Revision.

Ordered to third reading by vv.

**HB 512**

relative to purchasing procedures by the University of New Hampshire. Inexpedient to legislate; withdrawn by sponsor. Rep. Greene for Education.

Resolution adopted by vv.

**HB 572**

relative to the charter of Appleton Academy in New Ipswich. Ought to pass. Rep. Dunham for Education.

Ordered to third reading by vv.

**HB 635**

authorizing New Hampshire College of Accounting and Commerce to confer bachelor of business science, associate in business science, and honorary degrees. Ought to pass. Rep. Dunham for Education.

Ordered to third reading by vv.

**HB 659**

providing for special fishing permits for patients, clients and students at Crotched Mountain Center. Inexpedient to legislate; subject covered by other legislation. Rep. Huggins for Fish and Game.

Resolution adopted by vv.

**HB 673**

relative to trapping black bear. Inexpedient to legislate;

subject covered by other legislation. Rep. Huggins for Fish and Game.

Resolution adopted by vv.

**HB 597**

providing for liquor licenses for first class ballrooms. Inexpedient to legislate. Rep. Pray for Liquor Laws.

Resolution adopted by vv.

**HB 578**

relative to Woodsville Fire District. Ought to pass. Rep. Randlett for Municipal and County Government.

Ordered to third reading by vv.

**HB 644**

relative to computation of the debt limit of the town of Plymouth. Ought to pass. Rep. Gaffney for Municipal and County Government.

Ordered to third reading by vv.

**HB 651**

to enable towns to acquire and preserve historic sites and buildings. Ought to pass. Rep. Bednar for Municipal and County Government.

Ordered to third reading by vv.

**HB 569**

relating to the power of state police employees in municipalities. Inexpedient to legislate. Rep. Walker for Municipal and County Government.

Resolution adopted by vv.

**HB 613**

relating to school district meetings. Ought to pass. Rep. Chevrette for Municipal and County Government.

At the request of Rep. Brungot HB 613 was laid on the table until tomorrow under Rule 59.

**HB 505**

to increase the compensation of the mayor of Nashua. Ought to pass. Rep. LaPlante for the Nashua Delegation.

Ordered to third reading by vv.

**HB 614**

relative to mobile barbershops. Referred to Legislative

Council. Rep. Mason for Public Health, Welfare and State Institutions.

Resolution adopted by vv.

**HB 652**

relative to the examination of applicants for chiropractic licenses. Ought to pass. Rep. Morrison for Public Health, Welfare and State Institutions.

Ordered to third reading by vv.

**HB 666**

relative to the licensing of dogs and certification of rabies vaccination. Inexpedient to legislate. Rep. Rich for Public Health, Welfare and State Institutions.

Resolution adopted by vv.

**HB 526**

to increase the compensation of the mayor and councilmen of the city of Rochester. Inexpedient to legislate; subject matter being referred to Rochester City Council for proper action through home rule legislation. Rep. Rolfe for the Rochester Delegation.

Resolution adopted by vv.

**HB 587**

relative to travel by state employees between homes and places of work. Ought to pass. Rep. Burleigh for Statutory Revision.

Ordered to third reading by vv.

**HB 655**

relative to recoveries by the division of investigation of accounts. Ought to pass. Rep. Shirley for Statutory Revision.

Ordered to third reading by vv.

PARLIAMENTARY INQUIRY

Rep. Bednar rose on a point of parliamentary inquiry.

\* \* \*

COMMITTEE REPORTS CONTINUED

**HB 530**

relating to issuance of plates to motor vehicle dealers. Ought to pass. Rep. Hamel for Transportation.



At the request of Rep. Strafford HB 530 was laid on the table under Rule 59.

\* \* \*

On motion of Rep. Stafford the House adjourned from the early session, and the Rules of the House were so far suspended as to permit the reading of bills by title only, and that when the House adjourns today it be to meet tomorrow at 11:00 o'clock.

### LATE SESSION THIRD READINGS

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 699, creating the position of director in the state veterans council.

HB 572, relative to the charter of Appleton Academy in New Ipswich.

HB 635, authorizing New Hampshire College of Accounting and Commerce to confer bachelor of business science, associate in business science, and honorary degrees.

HB 578, relative to Woodsville Fire District.

HB 644, relative to computation of the debt limit of the town of Plymouth.

HB 651, to enable towns to acquire and preserve historic sites and buildings.

HB 505, to increase the compensation of the mayor of Nashua.

HB 652, relative to the examination of applicants for chiropractic licenses.

HB 655, relative to recoveries by the division of investigation of accounts.

\* \* \*

HB 587, relating to travel by state employees between homes and places of work was read a third time.

Rep. Wilfrid Boisvert requested that final passage be delayed under Rule 59.

SB 148, to permit free parking for jurors in attendance at the United States District Court, was read a third time, passed, and sent to the Secretary of State to be engrossed.

Rep. Raiche addressed the House by unanimous consent.

\* \* \*

On motion of Rep. Loxton the House adjourned at 12:01 P. M. in honor of the 50th anniversary of the discharge of the (New England) 26th Yankee Division.

---

## *Wednesday, April 30, 1969*

The House met at 11:00 o'clock.

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

Divine Creator of heaven and earth, Thy hand has made all nature beautiful. On every side we see the splendor of Thy work. The earth's green cloak of grass, the sturdy trees, the warm gold of the sunlight, and the calm beauty of the moon and stars, all speak to our listening hearts and teach us the story of beauty and growth.

For all this wondrous beauty, we thank Thee. For all that brings us joy, we raise our voice in songs of praise. Teach us, O God, to obey Thy law. May we do our best with every task; may every word we speak be true, and every thought within our heart be clean and good. Because Thy world, O God, is beautiful, let our lives be noble too. Amen.

(... UNION HYMNAL, Songs and Prayers for Jewish Worship . . . 1949, 3rd edition.)

### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Drabinowicz led the House in the Pledge of Allegiance to the Flag.

### LEAVES OF ABSENCE

Reps. Poehlman, Weilbrenner and Cone were granted leave of absence for the day on account of important business.

Rep. Tasoulas was granted leave of absence for the day to attend a funeral.

### RESOLUTION

Rep. McMeekin offered the following resolution:

*Resolved*, that in accordance with the list in the possession of the clerk, House Bills numbered 801 and 805 through 810 and House Joint Resolution numbered 68 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.

### INTRODUCTION OF BILLS

The following bills and joint resolution were read a first and second time, laid on the table for printing and referred as follows:

HB 801, enacting the New Hampshire-Maine Interstate School Compact. (Greene of Rockingham Dist. 22, O'Neil of Cheshire Dist. 12 — To Education.)

HB 805, amending the New England higher education compact. (O'Neil of Cheshire Dist. 12, Greene of Rockingham Dist. 22 — To Education.)

HB 806, creating a commission to review obscene material and prohibiting the sale of the same to minors. (Stafford of Belknap Dist. 12 — To Judiciary.)

HB 807, to permit home rule on Sunday sales. (Stafford of Belknap Dist. 12 — To Constitutional Revision.)

HB 808, relative to the composition of the finance committee of the city of Nashua. (Dion of Hillsboro Dist. 21 — To Nashua Delegation.)

HB 809, relative to redistricting the congressional districts. (Raiche of Hillsboro Dist. 34 — To Executive Departments and Administration.)

HB 810, repealing the tax on health and accident insurance premiums. (Williamson of Sullivan Dist. 9 — To Banks & Insurance.)

HJR 68, providing for a visitors' center in the state house. (Williamson of Sullivan Dist. 9 — To Legislative Revision.)

Rep. Strafford moved that the remarks given by Leon W. Anderson, Legislative Historian, at the recent annual luncheon of the New Hampshire Library Association, complimenting librarians and relating to our upcoming State House sesquicentennial celebration on June 2, be printed in the House Journal.

Motion adopted by vv.

\* \* \*

We have fallen in love with libraries and librarians. We never knew they could be such fun until the Legislature hired our retirement 18 months ago to research its past to sweeten its image.

We at first hesitantly visited the modest State Library and the plush Historical Society premises. We had acquired passing acquaintances with them through two score years as a Concord Monitor reporter. But research was beyond our ken.

We had no idea what we were after, nor how to find it. We were greener than a legislator on his first day in Concord. We were even greener than the Swedish emigrant who guarded a flock of sheep with such zeal the first day on the job that when he finally herded them long after dark there were three weary jackrabbits in their midst.

But new vistas soon unfolded. The librarians were kind and considerate. They were patient with our ignorance and tolerant of our blunderings.

We discovered that librarians are a rare breed. Their dedicated helpfulness is steeped in understanding and compassion.

Libraries truly are the windows of the world. Through them we learn to use the lessons of experience — which is the essence of history. They portray contrast and comparison by which to measure appreciation and chart progress. They reflect the dreams and daring — and the disillusion — of our forebears, from which we can rekindle the courage of faith to persevere toward the everlasting goal of goodwill.

We relish the reflections of research. They have fortified our faith in democracy, American style. We take heart from the great Winston Churchill's observation that "Democracy is the worst form of government except for all the rest." The Democ-

racy of our General Court, for example, is not perfect and never will be, for it comprises imperfect people. And may it ever continue so.

Research often crystallizes unknown facts to light. It has launched the upcoming June 2 legislative sesquicentennial celebration of our 1819 State House as a civic shrine without equal in the nation. For our General Court still sits in the same chambers it first occupied 150 years ago.

Massachusetts and Maryland boast of older Capitols still standing. But their lawmakers have long since sprawled into quarters of more modern vintage.

So a pamphlet history is being issued to extol this and other historic virtues of our granite State House, as a fresh Granite State mecca of American lore.

The Legislature has not always suffered its present fiscal woes and divisive derision. And its leadership has not always had to yearn for federal largess to balance budget backlogs.

When the State House opened 150 years ago, retiring governor Bill Plumer of Epping boasted a \$10,000 treasury surplus, after paying \$62,000 for its construction, giving a \$4,000 loan to Dartmouth College, and launching annual subsidies for county agricultural organizations, which continue to this day. He explained this achievement was mostly financed by \$58,000 of federal reimbursements from the War of 1812.

The 1819 General Court also had more brotherly love than its 1969 counterpart is displaying. In fact, brothers presided over it. They were Farmer Jonathan Harvey of Sutton, Senate President at 38, and Attorney Matthew Harvey of Hopkinton, House Speaker at 37.

This brotherliness helped spark one of New Hampshire's greatest laws of all time into being. It was the Toleration Act, which terminated public support of churches and the Congregational denomination in particular.

This purge of Puritanical religious sway was roundly denounced. Editors wrung their type in horror against this separation of state from church. One called it "Repeal of Religion;" another headlined "Bible Abolished." There was also "When the wicked rule the righteous of the land mourn."

This freedom of worship milestone ran into heated House debate and passed by a close 96 to 88 roll call. The Toleration Act proved popular, notwithstanding the editors. The Harvey brothers were reelected time and again to their legislative leaderships, and Governor Samuel Bell of Chester was reelected for three more terms after signing it.

There's yet another lady we have fallen in love with — also with the approbation of Mabel, our General Superintendent. She was a Concord widow of the Revolutionary War period. She became a tavern tycoon dedicated to the public weal and legislators in particular. She was fondly called "Mother Osgood."

She was of sturdy character and her popularity required three taverns to satisfy. All her attributes are graphically depicted in the monumental manuscript of Concord's pioneer life, so lovingly compiled by the late Mrs. Grace Amsden, and now in custody of the N. H. Historical Society.

Mother Osgood's patriotism transcended bounds. She became the only woman known to sign the anti-Tory "Association Test" pledge to boycott tea and sugar and all other British goods, in the fight for freedom. Much pewter from Concord's best homes was melted in her taverns and run into bullets, some of which felled the enemy in defense of Bunker Hill.

Mrs. Amsden relates Mother Osgood also became famous for a special drink for legislators. It was called a "flip."

Present-day dispensers of cheer might well resurrect this Mother Osgood favorite to help spark celebration of our State House sesquicentennial year.

The recipe goes:

"A mug was nearly filled with malt beer, sweetened with sugar; then a heated iron called a 'loggerhead' was thrust into it, which produced a rapid foam.

"Instantly a quantity of the 'ardent' (a half pint of rum for a quart mug) was dashed in, a little nutmeg grated on top, and the whole quaffed off by two or more men as they could bear it."



## ENGROSSED BILLS COMMITTEE REPORT

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled:

HB 26, An Act authorizing the establishment of professional associations.

HB 218, An Act relative to membership on state council for aging.

HB 381, An Act relative to the filing of a financial statement by organizations seeking tax exemptions.

HB 384, An Act relative to qualifications for persons seeking the office of county attorney.

HB 472, An Act providing for a recount of votes on a sweepstakes question.

SB 1, An Act authorizing the lapse of certain accounts to the general fund and reducing the appropriation to certain departments.

SJR 10, Joint Resolution transferring fifty thousand dollars from the unemployment compensation contingency fund to general funds.

HB 494, An Act legalizing proceedings of Hopkinton School District Meetings held in the Town of Hopkinton on March 12 and 16, 1968 and March 11 and 15, 1969.

Roxie A. Forbes  
for the Committee

## SENATE MESSAGE

The Senate refuses to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

HB 8, relative to the appointment of the Director of Legislative Services.

## FURTHER SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 231, relative to certificates without examination for the practice of psychology and relative to associate psychologists.

HB 243, relative to protection of confidential medical information obtained for research purposes by the department of health and welfare.

HB 534, relative to hunting on islands by certain disabled persons.

HB 26, authorizing the establishment of professional associations.

### FURTHER SENATE MESSAGE

The Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 163, making it illegal to drive while under the influence of hallucinogenic drugs.

### AMENDMENT

Amend the bill by striking out section 2 and inserting in place thereof the following new sections:

2 Implied Consent. Amend RSA 262-A:69-a as inserted by 1965, 238:1 by inserting in line five after the word "alcoholic" the words (narcotic or drug) and by inserting in lines eight and twelve after the word "liquor" the words (narcotics or drugs) so that said section as amended shall read as follows: 262-A:69-a Implied Consent of Driver of Motor Vehicle to Submit to Chemical Testing to Determine Alcoholic Content of Blood. Any person who operates a motor vehicle upon the public highways of this state shall be deemed to have given consent to a chemical test or tests of his blood and urine for the purpose of determining the alcoholic, narcotic or drug content of his blood, if arrested for any offense arising out of acts alleged to have been committed while the person was driving or in actual physical control of a motor vehicle while under the influence of intoxicating liquor, narcotics or drugs. The test or tests shall be administered at the direction of a law enforcement officer having reasonable grounds to believe the person to have been driving or in actual physical control of a motor vehicle upon

the public highways of this state while under the influence of intoxicating liquor, narcotics or drugs. A copy of the report of any such test shall be furnished by the law enforcement agency to the person tested within forty-eight hours of receipt of the report by the agency by registered mail directed to the address shown on such person's license or other identification furnished by the person.

3 Refusal. Amend RSA 262-A:69-a as inserted by 1965, 238:1 by inserting in line nine after the word "liquor" the words (narcotics or drugs) so that said section as amended shall read as follows: 262-A:69-a Refusal of Consent. If a person under arrest refuses upon the request of a law enforcement officer to submit to a chemical test designated by the law enforcement officer as provided in section 69-a, none shall be given, but the director of the division of motor vehicles, upon the receipt of a sworn report of the law enforcement officer containing the following: (1) that he had reasonable grounds to believe the arrested person had been driving or was in actual physical control of a motor vehicle upon the public highways of this state while under the influence of intoxicating liquor, narcotics or drugs; (2) the facts upon which the reasonable grounds to believe such are based; (3) that the person had been arrested; (4) that the person had refused to submit to the test upon the request of the law enforcement officer; (5) that he informed the arrested person of his right to have a similar test or tests conducted by a person of his own choosing, and (6) that he informed the arrested person of the fact that refusal to permit the test will result in revocation of his license, shall revoke his license to drive or nonresident operating privilege for a period of ninety days; or if the person is a resident without a license or permit to operate a motor vehicle in this state, the director of the division of motor vehicles shall deny to the person the issuance of a license for a period of ninety days after the date of the alleged violation, subject to review as hereinafter provided.

4 Review. Amend RSA 262-A:69-f as inserted by 1965, 238:1 by inserting in line twelve after the word "liquor" the words (narcotics or drugs) so that said section as amended shall read as follows: 262-A:69-f Administrative Review. Upon revoking the license or nonresident operating privilege of any person, or upon determining that the issuance of a license shall be denied to the person as directed in 69-e, the director of the division of motor vehicles shall immediately notify the person

in writing and upon such person's request within thirty days after such notification shall within ten days after receipt of the request afford him an opportunity for a hearing before the director of the division of motor vehicles or his authorized agent. The scope of such a hearing shall cover the issues of whether a law enforcement officer had reasonable grounds to believe the person had been driving or was in actual physical control of a motor vehicle upon the public highways of this state while under the influence of intoxicating liquor, narcotics or drugs; whether the person was placed under arrest; whether he refused to submit to the test upon the request of the officer; whether the person was informed that his privilege to drive would be revoked or denied if he refused to submit to the test, and whether the person was informed of his right to have a chemical test or tests made by a person of his own choosing. The director of the division of motor vehicles shall order that the revocation or determination that there should be a denial of issuance be rescinded or sustained. A copy of such order shall be sent to the person affected thereby and shall contain a statement informing the person of his right of appeal.

5 Effective Date. This act shall take effect sixty days after its passage.

\* \* \*

Rep. Morrill moved that the reading of the amendment be dispensed with.

On motion of Rep. Morrill the House concurred in the Senate amendment.

#### ENGROSSED BILLS COMMITTEE REPORT

HB 133, prohibiting motorboats on Willard Pond in Antrim. Ought to pass with amendment under Rule 15. Rep. Forbes for Engrossed Bills Committee.

#### AMENDMENT

Amend section 1 of the bill by striking out lines one and two and inserting in place thereof the following:

1 Willard Pond. Amend RSA 486 by inserting after section 8 (supp) the following new section: 486:9 Willard Pond. On or after the date of

Report adopted by vv.

#### FURTHER SENATE MESSAGE

The Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill:

HB 87, relative to the distribution to and counting of ballots in additional polling places.

#### AMENDMENT

Amend Section 1 of the bill by striking out the first three lines and inserting in place thereof the following:

1 Uniform Time for Polls to Open. Amend RSA 39 by inserting after section 2-a (supp) the following new section: 39:2-b Time Polls Open. The warrant for any town meeting shall provide

\* \* \*

The House concurred in the Engrossed Bills Committee amendment.

#### FURTHER SENATE MESSAGE

The Senate has voted to adopt the amendments by the Engrossed Bills Committee to the following House Bill:

SB 77, to extend the amount and repayment time of loans and to provide for unsecured loans for any purpose made by cooperative banks and building and loan associations.

#### AMENDMENT

Amend section 1 of the bill by striking out the first three lines and inserting in place thereof the following:

1 Unsecured Loans. Amend RSA 393:15-a as amended by 1955, 140:1; 1957, 194:1; and 1967, 205:1 by striking out said section and inserting in place thereof the following:

The House concurred in the Engrossed Bills Committee amendment.

### SENATE MESSAGE, INTRODUCTION OF SENATE BILL AND REFERRAL

The Senate has passed the following entitled Bill, in the passage of which it asks the concurrence of the House of Representatives:

SB 149, relative to private ski tows. Resources, Recreation and Development.

### COMMITTEE REPORTS

#### **HJR 13**

providing supplemental appropriation for the New Hampshire Soldiers Home in Tilton. Ought to pass with amendment. Rep. Drake for Appropriations.

### AMENDMENT

Amend House Joint Resolution No. 13 by striking out all after the resolved clause and inserting in place thereof the following:

That the sum of nine thousand five hundred sixty seven dollars is hereby appropriated for the fiscal year ending June 30, 1969 to be expended by the New Hampshire Soldiers Home to meet a budget deficit for the fiscal year. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

\* \* \*

Amendment adopted and the Joint Resolution was ordered to third reading by vv.

#### **HB 715**

relative to parking for jurors while in attendance at federal district courts. Inexpedient to legislate; subject covered by SB 148. Rep. Aucella for Constitutional Revision.

Resolution adopted by vv.

#### **HB 475**

providing for the cancellation without penalty of retail



installment sale agreements arising from door-to-door solicitation. Ought to pass with amendment. Rep. Martin for Executive Departments and Administration.

### AMENDMENT

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Cancellation of Retail Installment Sale Agreements. Amend RSA by inserting after chapter 361-A as inserted by 1961, 193:1 the following new chapter:

#### Chapter 361-B Retail Installment Selling

361-B:1 Definition. For the purposes of this chapter, a "retail installment sale agreement" shall mean an agreement, other than a revolving credit agreement or an agreement reflecting a sale made pursuant thereto, entered into in this state, involving a finance charge and providing for the sale of goods or the rendering of services or both for a specified amount which the buyer undertakes to pay in more than one payment subsequent to the making of the agreement. A retail installment sale agreement shall not include an agreement which provides (a) for the payment of the total of the cash sale price, the charge for any insurance, the amount of official fees, if any, and the finance charge in not more than three monthly installments, or (b) a finance charge not in excess of one dollar, or (c) no collateral security for the seller.

361-B:2 Cancellation of Certain Retail Installment Sale Agreements. A buyer who becomes a party to a retail installment sale agreement at a place other than an address of the seller, which may be the main office of the seller or a branch thereof, may cancel said agreement without penalty by notifying the seller at the seller's place of business as set forth in any documents received by the buyer in connection with such transaction by certified mail, return receipt requested. Said letter of cancellation shall be posted not later than five o'clock in the afternoon of the fourth business day following the signing of the agreement or the furnishing of the buyer with the seller's address whichever is later.

361-B:3 Notice of Rights. A retail installment sale agreement executed at a place other than at the address of the seller, which may be the main office of the seller or a branch thereof shall be null and void unless it contains a notice entitled "Important Notice to Buyer" and following verbatim section 2 above, which notice shall be printed in boldface type at least two points larger than the text of the agreement with a minimum size of ten point.

\* \* \*

At the request of Rep. Coburn, Rep. Shirley Clark explained the bill as amended.

(discussion ensued)

Rep. Elmer York moved that HB 475 be indefinitely postponed and spoke in favor of the motion.

Reps. George Roberts, Mackintosh, Nixon, Drabinowicz and Reddy spoke against the motion.

(discussion ensued)

Rep. Stevenson spoke against the motion.

### PARLIAMENTARY INQUIRY

Rep. Martin rose on a point of parliamentary inquiry.

Motion lost by vv.

Rep. Levesque offered a proposed amendment.

The Clerk read the amendment in full.

Rep. Levesque spoke in favor of the proposed amendment and subsequently withdrew the amendment.

The question now being on the adoption of the committee amendment.

Amendment adopted and the bill ordered to third reading by vv.

### HB 551

relative to the entry of judgments. Ought to pass. Rep. Brungot for Judiciary.

Ordered to third reading by vv.

**HB 552**

to enlarge the equitable powers of the superior court with reference to attachment of or levy upon securities. Inexpedient to legislate. Rep. Brummer for Judiciary.

Resolution adopted by vv.

**HB 664**

relative to the penalty for use of a gun while committing a felony. Inexpedient to legislate. Rep. Wallin for Judiciary.

Resolution adopted by vv.

**HB 504**

providing for two medical referees in Merrimack County. Ought to pass. Rep. Lila Chase for the Merrimack Delegation.

Ordered to third reading by vv.

**HB 544**

amending the hawkers and peddlers statute to include home repair salesmen. Ought to pass with amendment. Rep. Burleigh for Statutory Revision.

### AMENDMENT

Amend section 2 of the bill by striking out in line sixteen the word "five" and inserting in place thereof the word (three) so that said section as amended shall read as follows:

2 Prohibition; Penalty Enlarged. Amend RSA 320:2 by striking out said section and inserting in place thereof the following: 320:2 Prohibition; Contracts Void; Penalty. No hawker or peddler shall sell or barter or carry for sale or barter, or expose therefor, any goods, wares or merchandise, unless he holds a license so to do as herein provided. Any person violating this section shall be fined not more than two hundred dollars and the clerk of the district or municipal court shall deduct from each said fine so collected by the court the amounts provided in RSA 502:14 or 502-A:8, and shall pay the balance to the town in which the offense was committed. Any contract relating to household repairs and improvements or for siding for any building or residence solicited by any person who has not obtained the license as herein provided for, shall be void and unenforceable, and any sale or barter of any goods, wares or merchandise by any such person shall be voidable. Provided further that any time before five o'clock in the afternoon, at the

expiration of three business days, following the signing of any solicited installment contract of one hundred fifty dollars or more by the parties solicited or the owner, the parties solicited or the owner may serve a notice of cancellation upon the licensee or principal vendor.

Amend section 3 of the bill by striking out the same and inserting in place thereof the following:

3 License Fee; Surety Bond or Cash Deposit. Amend RSA 320:8 as amended by 1955, 185:3, by inserting at the end thereof the following (In addition to the payment of a license fee the applicant shall file a surety bond or deposit in cash a sum of not less than one thousand dollars with the secretary of state which shall be available for payment of any judgment recovered by the vendee or any compromise settlement effective between the vendor and vendee provided such judgment or settlement is on a contract involving an amount in excess of one hundred fifty dollars and the proper certificate issued to the secretary of state would constitute an order for payment of such sum. In the event that a corporation should apply for a license under the provisions of this act, the sum of one thousand dollars deposited with the secretary of state in cash or surety bond will be sufficient to cover its employees or agents who, however, will have to be individually licensed) so that said section as amended shall read as follows: 320:8 State Licenses. Upon compliance with the conditions hereinafter set forth, and upon payment of a fee of ten dollars for the use of the state as a state license fee, the secretary of state may grant special state licenses. Applications for such licenses shall be made upon blanks prepared by the secretary of state requiring such information regarding the applicant's character and qualifications as said secretary shall deem pertinent. No such license shall be issued unless the application is accompanied by a certificate signed by the chief of police of some city in this state stating that the applicant for a license is, to the best of his knowledge and belief, a person of good moral character, and is, or has declared his intention to become, a citizen of the United States. Any person so licensed may do business as a hawker or peddler in any city or town in this state, without further payments. In addition to the payment of a license fee the applicant shall file a surety bond or deposit in cash a sum of not less than one thousand dollars with the secretary of state which shall be available for payment of any judgment recovered by the vendee or any compromise settlement

effective between the vendor and vendee provided such judgment or settlement is on a contract involving an amount in excess of one hundred fifty dollars and the proper certificate issued to the secretary of state would constitute an order for payment of such sum. In the event that a corporation should apply for a license under the provisions of this act, the sum of one thousand dollars deposited with the secretary of state in cash or surety bond will be sufficient to cover its employees or agents who, however, will have to be individually licensed.

\* \* \*

Rep. Nourie spoke against the bill.

Rep. Levesque offered the following proposed amendment.

#### PROPOSED AMENDMENT

Amend RSA 320:2 as amended by section 2 of the bill by inserting in line seventeen after the word "solicited" the following (home repair or home improvement) so that said section as amended shall read as follows:

320:2 Prohibition; Contracts Void; Penalty. No hawker or peddler shall sell or barter or carry for sale or barter, or expose therefor, any goods, wares or merchandise, unless he holds a license so to do as herein provided. Any person violating this section shall be fined not more than two hundred dollars and the clerk of the district or municipal court shall deduct from said fine so collected by the court the amounts provided in RSA 502:14 or 502-A:8, and shall pay the balance to the town in which the offense was committed. Any contract relating to household repairs and improvements or for siding for any building or residence solicited by any person who has not obtained the license as herein provided for, shall be void and unenforceable, and any sale or barter of any goods, wares or merchandise by any such person shall be voidable. Provided further that any time before five o'clock in the afternoon, at the expiration of three business days, following the signing of any solicited home repair or home improvement installment contract of one hundred fifty dollars or more by the parties solicited or the owner, the parties solicited or the owner may serve a notice of cancellation upon the licensee or principal vendor.

The Clerk read the amendment in full.

Rep. Levesque spoke in favor of the proposed amendment.

At the request of Rep. Nyberg, Rep. Burleigh answered questions.

Rep. McMeekin explained the bill.

(discussion ensued)

Rep. Frizzell further explained the bill.

Rep. Nourie moved that HB 544 be indefinitely postponed.

Motion lost by vv.

The question now being on the adoption of the proposed amendment.

Amendment adopted by vv.

The question now being on the adoption of the committee amendment as amended.

Amendment adopted and the bill ordered to third reading by vv.

### **HB 593**

relative to payment of abatement costs in certain cases was withdrawn by committee.

The Speaker called for the Special Order For 11:01 for HB 529, providing means for settlement of disputes between public employees and local governments, school districts or other political subdivisions and HB 460, establishing certain rights of public school teachers, prohibiting certain practices which are inimical to the welfare of the public schools, and providing for the orderly and peaceful resolution of disputes between public school teachers and school boards.

Rep. Greene moved that HB 529 and HB 460 be made a Special Order For 11:01 Thursday, May 15th and spoke in favor of the motion.

Motion adopted by vv.

Rep. Greene moved that HB 466, relative to teacher-public relations, be made a Special Order For 11:01 Wednesday, May 21st and spoke in favor of the motion.



Rep. Stevenson spoke in favor of the motion.

Motion adopted by vv.

\* \* \*

The Speaker called for the following bills laid over from the Consent Calendar Tuesday, April 29.

**HB 696**

relative to loans by savings banks. Ought to pass. Rep. Tremblay for Banks and Insurance.

Ordered to third reading by vv.

**HB 613**

relating to school district meetings, Ought to pass. Rep. Chevrette for Municipal and County Government.

Ordered to third reading by vv.

**SB 102**

relative to continuance of cases for nonsupport. Ought to pass. Rep. Shirley for Statutory Revision.

Ordered to third reading by vv.

**SB 121**

relative to the good samaritan law. Ought to pass. Rep. Shirley for Statutory Revision.

Ordered to third reading by vv.

**HB 610**

prohibiting the granting of credit cards without a request being made therefor. Inexpedient to legislate. Rep. Shirley for Statutory Revision.

Resolution adopted by vv.

**HB 602**

making the inauguration day of the president of the United States a legal holiday. Inexpedient to legislate. Rep. Shirley for Statutory Revision.

Resolution adopted by vv.

**HB 629**

relative to abandoned cars upon turnpikes. Inexpedient to legislate. Rep. Coggeshall for Statutory Revision.

Resolution adopted by vv.

**HB 530**

relating to issuance of plates to motor vehicle dealers.  
Ought to pass. Rep. Hamel for Transportation.

Rep. Stafford moved that HB 530 be indefinitely postponed and spoke in favor of the motion.

Rep. Bridges spoke against the motion.

(discussion ensued)

Rep. Hamel spoke against the motion.

(discussion ensued)

Motion lost by vv.

Rep. Stafford requested a division.

The vote being manifestly in the negative the motion lost.  
Ordered to third reading by vv.

The Speaker called for the following bills placed on the Calendar under Rule 56 and granted a six days extension.

**HB 119**

to improve management-employee relations in state employment.

**HB 401,**

relative to compulsory school attendance, dual enrollment and transportation of pupils.

**HB 478,**

increasing the salary of the Rockingham county attorney.  
At the request of Rep. Dame HB 482, relative to compulsory school attendance was laid on the table.

\* \* \*

Rep. Bednar explained his action in asking for Reconsideration on bills as printed on pages 1847 and 1848 of the House Journal of Tuesday, April 29 and pointed out that the committee proposal, under the Consent Calendar Rule, were not printed two days in the Journal and therefore not legally passed, under the Rules of the House.

Speaker Cobleigh commended the member from Hudson for bringing this to his attention and ruled that the action of

the committee be reported on each bill, to be reconsidered, for the information of the House members so that any member of the House can make objection to the bills if he so desires, at the time bills are reconsidered.

### PARLIAMENTARY INQUIRY

Rep. deBlois rose on a point of parliamentary inquiry.

\* \* \*

Rep. O'Neil addressed the House by unanimous consent, and read the following communication.

Rep. Williamson moved that the remarks made by Rep. O'Neil be printed in the Journal.

Rep. O'Neil explained the situation.

Reps. Nixon, Shirley and Brungot spoke in favor of the motion.

Rep. Greenwood requested a division.

At the request of Rep. deBlois, Rep. Greenwood answered question and subsequently withdraw his request for a division.

Rep. Williamson spoke a second time in favor of the motion.

Rep. Trowbridge requested a division.

250 members having voted in the affirmative and 12 in the negative the motion was adopted.

### STATEMENT READ TO THE HOUSE OF REPRESENTATIVES BY REP. O'NEIL

I am Bradford Cook, President of the Student Body of the University of New Hampshire, Durham. As the popularly elected head of the students, not self-appointed as some other students are who have sought recognition here, I would like to explain the feeling of the majority of students. I neither seek to demand anything of the Legislature nor lecture the Legislature.

The student body of the University of New Hampshire is a reflection of the state because we are the children of the state.

We come from all parts of New Hampshire and have the various opinions of those sections. We are, like the state itself, basically more conservative than our counterparts around the country. We are at the University to get an education and then become productive citizens of the state and nation. We are as frustrated and confused by the actions of small minorities as you are. However, we know that the minority is so small and non-representative that it poses no danger to our University. If it did, the students and administration would and could handle the situation fairly.

The students don't want disorder; they want to go to class. The minority, however, has a right to do what it feels right as long as it does not deny others freedom to do likewise. The University exists to allow experimentation and change. We may not always approve of the way this change is presented, but it should be allowed until it endangers us. This situation does not exist in Durham. When and if lawbreaking occurs, we will be ready.

We want, as UNH students, to continue to be able to attend a fine school. We hope that the Legislature will continue to help us to get a fine education and help the state. All students, whether so-called "radicals" or the rest, are concerned that the University's budget be adequate and that other state agencies be able to provide adequate services as well. In this regard, several things should be made clear:

- 1) No Student at the University desires a budget be passed which would deprive any other state agency money which it needs.

- 2) We do not desire more money because we are not willing to pay for our own education but because, very often, we cannot afford to pay increased tuition. We seek the best possible education so we can be the best possible citizens of the state.

- 3) Students, like all other citizens, dislike unnecessary taxation. We feel, however, that new sources of revenue must be found for the state to fund the University and other agencies. Many of us feel this means a broad-based tax.

University of New Hampshire students do not want trouble of any kind. We want to live in harmony, moving ahead with the rest of the state. As concerned citizens of New Hampshire

we shall continue to try to express our views to you and welcome your views addressed to us.

We have a great University. We are all proud of it, both we students and you legislators, I am sure. We thank you for your part in providing that University and sincerely ask that you continue to do so. We have tried to provide education in Durham, Plymouth and Keene which merits the state support and act in a way which deserves it. We promise to continue to try to act in a way to deserve it. I thank the House for its attention to the views of the majority.

\* \* \*

### HOUSE CONCURRENT RESOLUTION NO. 13

Submitted by Rep. Adams and Rep. Andersen  
Concerning Law and Order in Colleges.

*Whereas*, responsible New Hampshire citizens of both political parties now witness and are appalled by the revolutionary violence on some American college campuses, and

*Whereas*, it has become increasingly apparent that such revolutionary violence, though perpetrated or incited by a small minority, is a correlative of the disruptive and potentially destructive technique called the "student demonstration," and

*Whereas*, such demonstrations, notwithstanding their illegal means or methods, have been permitted to challenge not only faculty authority, but also, the fundamental guarantees of public order and common courtesy, and

*Whereas*, the legislature is proud to acknowledge the non-violent and orderly conduct of a vast majority of the students attending the state-owned institutions of higher learning, and

*Whereas*, the legislature also commends and reaffirms its faith in the disciplinary judgments of the faculties at the various state-owned institutions of higher learning, and therefore be it

Resolved by the House of Representatives,  
the Senate concurring:

That a recommendation be sent to appropriate faculty and student officials of the various state-owned institutions of higher learning, encouraging them to continue their commendable

administration of campus rule and order, and supporting, in the case of faculty officials, the policy of strict punishment, as the law may provide, of any person or group of persons illegally disrupting the functioning of such institutions.

Referred to the committee on Education.

On motion of Rep. Stafford the House adjourned from the early session, and the Rules of the House were so far suspended as to permit the reading of bills by title only, House Joint Resolution by caption only, and that when the House adjourns today it be to meet tomorrow at 11:00 o'clock in memory of Capt. Roland C. Labonte of Hudson, killed in Viet Nam.

### LATE SESSION THIRD READINGS

The following bills and HJR were read a third time, passed, and sent to the Senate for concurrence:

HJR 13, providing supplemental appropriation for the New Hampshire Soldiers Home in Tilton.

HB 475, providing for the cancellation without penalty of retail installment sale agreements arising from door-to-door solicitation.

### RECONSIDERATION

Rep. O'Neil, having voted with the majority, moved that the House reconsider its action whereby it passed HB 475 and spoke against the motion.

Motion lost by vv.

HB 551, relative to the entry of judgments.

HB 504, providing for two medical referees in Merrimack County.

HB 544, amending the hawkers and peddlers statute to include home repair salesmen.

### RECONSIDERATION

Rep. O'Neil, having voted with the majority, moved that the House reconsider its action whereby it passed HB 544 and spoke against the motion.

Motion lost by vv.



HB 696, relative to loans by savings bank.

HB 613, relating to school district meetings.

HB 530, relating to issuance of plates to motor vehicle dealers.

### RECONSIDERATION

Rep. Bridges, having voted with the majority, moved that the House reconsider its action whereby it passed HB 530 and spoke against the motion.

Motion lost by vv.

HB 587, relating to travel by state employees between homes and places of work.

### RECONSIDERATION

Rep. MacDonald, having voted with the majority, moved that the House reconsider its action whereby it passed HB 587 and spoke against the motion.

Motion lost by vv.

The following Senate Bills were read a third time, passed, and sent to the Secretary of State to be engrossed.

SB 102, relative to continuance of cases for nonsupport.

SB 121, relative to the good samaritan law.

### NOTICE OF RECONSIDERATION

Rep. MacDonald, having voted with the majority, served notice that today or some subsequent day he would ask for reconsideration of HB 602, making the inauguration day of the president of the United States a legal holiday.

\* \* \*

On motion of Rep. Claude Foster the House adjourned at 1:52 p.m. in memory of Captain Roland C. Labonte of Hudson, killed in Viet Nam.

*Thursday, May 1, 1969*

The House met at 11:00 o'clock.

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

ETERNAL GOD, before whom our fathers walked in search of truth and justice, save us from directing our energies towards goals which satisfy not and pleasures that can never abide. Enamored with the thrills of the day, softened by the comforts of the age, caught up in an era of overindulgence — too often have we witnessed irresponsibility and disrespect for truth, too long has complacency and indifference been a part of our society, and the laws of the land frustrated by the selfish and the negligent. Save us from the coldness of the indifferent and the heat of the fanatic, teach us the value of loyalty to the high ideals of honest and sincere patriotism. Grant unto us, through our legislative action, the opportunity to create laws that shall be like unto Thy promised Kingdom; that we may honor Thee in our love, our justice, and our mercy. Pattern our thoughts after Him who taught us to pray (THE LORD'S PRAYER). AMEN.

#### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Helen Barker led the House in the Pledge of Allegiance to the Flag.

#### LEAVES OF ABSENCE

Reps. Weillbrenner, Poehlman and Shirley were granted leave of absence for the day on account of important business.

#### COMMUNICATION

May 1, 1969

To the Honorable Speaker of the House of Representatives and President of the Senate:

Pursuant to Chapter 57, section B, Laws of 1969, this is the interim report of the Approved Non-Public School Study Commission.

Chapter 57 was enacted March 27, 1969, but because the stipulated membership of 15 on the Commission was not completed until late April, a substantive report to the Legislature is impossible at this time.

Members appointed to the Commission are:

House Appointments:

Conrad Tracy, Manchester  
Mrs. Bernard Nardi, Manchester  
Rep. Ernest Coutermarsh, Nashua  
Rep. George Stafford, Laconia  
Bayard Hancock (Rev.), Plymouth

Senate Appointments:

Augustine McDonough (Att'y), Manchester  
William Oates, Concord  
Sen. Eileen Foley, Portsmouth  
Sen. Harry Spanos, Newport  
Sen. Alf Jacobson, New London

Governor Peterson Appointments:

Robert English, Somersworth  
Jason Boynton, Durham  
Msgr. George Murray, Manchester  
Norman Stahl, Bedford  
James Wechsler, Lebanon

An organizational meeting of the Commission was held on April 29, 1969. Rep. George Stafford was elected Chairman; Senator Eileen Foley, Vice-chairman; and Mrs. Bernard V. Nardi, Clerk. The Commission began its deliberations and plans to continue work and will if at all possible, submit a further interim report either prior to legislative adjournment, or at the earliest possible date.

George W. Stafford,  
Chairman

Mrs. Bernard V. Nardi,  
Clerk

Approved Non-Public School Study Commission

## RESOLUTION

Rep. McMeekin offered the following resolution:

*Resolved*, that in accordance with the list in the possession of the clerk, House Bills numbered 811 through 816 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.

## INTRODUCTION OF BILLS

The following bills were read a first and second time, laid on the table for printing and referred as follows:

HB 811, relative to unemployment compensation. (Angus of Sullivan Dist. 4 — To Labor, Human Resources & Rehabilitation.)

HB 812, to reclassify a highway in the town of Jaffrey. (Cournoyer of Cheshire Dist. 6 — To Public Works.)

HB 813, relative to the apportionment formula of the Newfound cooperative school district. (Urie of Belknap Dist. 1 — To Education.)

HB 814, relative to the amount of state grants to school districts. (Mutzbauer of Belknap Dist. 7 — To Education.)

HB 815, increasing franchise tax on public utilities and including telephone and telegraph companies. (RULES COMMITTEE for Rep. Cobleigh of Hillsboro Dist. 15 — To Ways & Means.)

HB 816, increasing the fees of corporations. (RULES COMMITTEE for Rep. Cobleigh of Hillsboro Dist. 15 — To Ways & Means.)

\* \* \*

On motion of Rep. McMeekin, the order whereby SB 149, relative to private ski tows, was referred to Resources, Recreation & Development, was vacated and it was referred to Statutory Revision.

## SENATE MESSAGE

The Senate refuses to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 138, to establish a Seabrook District Court.

HB 174, establishing the Meredith District Court.

## FURTHER SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution sent up from the House of Representatives:

HB 347, relative to taxation of real estate separate from ore, sand, gravel, loam or similar substances.

HB 486, providing for an associate justice and a deputy clerk for the Manchester District Court and increasing the maximum salary provision for justices of district courts.

HJR 13, providing supplemental appropriation for the New Hampshire Soldiers Home in Tilton.

FURTHER SENATE MESSAGE, INTRODUCTION OF  
SENATE BILL AND REFERRAL

SB 101, relative to sentences to the industrial school. To Labor.

## COMMITTEE REPORTS

**HB 755**

exempting persons in the business of second mortgage loans from the provisions of the small loans statute. Ought to pass. Rep. Earle F. Randall for Banks and Insurance.

Ordered to third reading by vv.

**HB 688**

relative to appeals from decisions by selectmen refusing to grant a veterans property tax exemption. Ought to pass. Rep. Greenwood for Claims, Military and Veterans Affairs.

Ordered to third reading by vv.

**HB 562**

authorizing the board of education, upon request, to certify private kindergartens. Inexpedient to legislate. Rep. Dunham for Education.

Resolution adopted by vv.

**HB 618**

to permit experimentation and pilot programs in bilingual education. Ought to pass. Rep. Dunham for Education.

Ordered to third reading by vv.

**HB 573**

relative to the department of centralized data processing. Ought to pass with amendment. Rep. MacDonald for Executive Departments and Administration.

### AMENDMENT

Amend the bill by striking out RSA 8-C:1, I, as inserted by section 1 of the bill and inserting in place thereof the following:

I. establish and operate a central data processing agency to serve all other departments and agencies of the state.

Amend section 4 of the bill by inserting in line eight after the word "forms" the following (methods, and techniques) so that said section as amended shall read as follows:

4 Authority Clarified. Amend RSA 8:13-a (supp) as inserted by 1967, 253:4 by striking out the same and inserting in place thereof the following: 8:13-a Data Processing. The director of accounts shall handle and carry on the system of accounts and reports of financial transactions prescribed by him for all departments and agencies of the state, and the records of funds received, and the systems of central state accounting records and encumbrance accounting on data processing equipment established and approved by the director of data processing and in the form and employing such forms, methods, and techniques for said purposes as are prescribed and established by the director of data processing.

Amend the bill by striking out section 6 and inserting in place thereof the following:

6 Federal Rules. Amend RSA 8-C (supp) as inserted by 1967, 253:1 by inserting after section 9 the following new sec-



tion: 8-C:10 Alterations in Forms. If any department or agency of the state is advised by the federal government that its data processing equipment or its forms, methods or techniques in utilizing said equipment does not comply with any federal rule, regulation or law, then the governor and council may authorize the department or agency to alter its data processing equipment or its forms, methods or techniques to comply with any such rule, regulation or law.

\* \* \*

Amendment adopted by vv. Referred to Appropriations under the Rules.

### HB 550

relating to reasonable compensation of counsel who represent indigent defendants in criminal cases. Ought to pass with amendment. Rep. Sayer for Judiciary.

### AMENDMENT

Amend RSA 604-A:5, as inserted by section 2 of the bill, by striking out in line twelve the words "and expenses incurred" and inserting in place thereof the following (by counsel) so that said section, as amended, shall read as follows:

604-A:5 Compensation Limited. For representation of a defendant in any criminal case in which one or more felonies are charged, the total compensation paid counsel shall not exceed five hundred dollars, provided that in cases alleging a capital offense in which two counsel are appointed to represent a defendant each may be paid not exceeding five hundred dollars. For representation of a defendant in any criminal case in which only misdemeanors are charged, the total compensation to be paid counsel shall not exceed two hundred dollars. For representation of any juvenile charged with being delinquent, the total compensation to be paid counsel shall not exceed one hundred dollars. Provided, that of the above specified amounts, the proportion allowed by a justice of a district or municipal court, for services rendered by counsel while representing the defendant in proceedings before said court, shall not be in excess of one hundred seventy-five dollars for a preliminary examination in the case of a felony; one hundred dollars for the trial of a misdemeanor or fifty dollars for a juvenile case. Each

clerk of a district or municipal court shall certify to the clerk of the superior court the amount approved by the district or municipal court. In cases where homicides are charged or the penalty exceeds twenty-five years and there are extraordinary circumstances, payment in excess of these limits may be made if the court finds that the nature of the case is such as to require intensive and protracted representation.

\* \* \*

Rep. Murray moved that HB 550 be laid on the table. Motion lost by vv.

Amendment adopted by vv. Referred to Appropriations under the Rules.

### HB 616

relative to jurisdiction of the courts over nonresident individuals. Ought to pass with amendment. Rep. Zachos for Judiciary.

### AMENDMENT

Amend said bill by inserting after section 1 the following new section:

2 Repeal. RSA 510:5 and RSA 510:7 relative to service of process on nonresident defendants are hereby repealed.

Further amend said bill by renumbering the original section 2 to read section 3.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

### HB 535

relative to identification cards for employees in establishments handling beverages and liquor. Inexpedient to legislate. Rep. Pollock for Liquor Laws.

Resolution adopted by vv.

### HB 705

relative to qualifications for the serving of liquor or beverages. Inexpedient to legislate. Rep. Sweeney for Liquor Laws.

Resolution adopted by vv.

**HB 735**

permitting dancing in first-class hotels and restaurants which have cocktail room licenses. Inexpedient to legislate. Rep. Robert Dion for Liquor Laws.

Resolution adopted by vv.

**HB 492**

relative to legislative mileage allowances. Inexpedient to legislate. Rep. Casassa for Mileage.

Rep. Fortier spoke in favor of the committee report.

Resolution adopted by vv.

**HB 495**

relative to overseers of public welfare. Inexpedient to legislate. Rep. Brown for Municipal and County Government.

At the request of Rep. Murray, Rep. Hanson explained the bill.

Rep. Murray moved that the words "ought to pass" be substituted for the committee report "inexpedient to legislate" and spoke in favor of the motion.

Rep. Hanson spoke against the motion.

Motion lost by vv.

Resolution adopted by vv.

**HB 570**

relative to allowing municipalities to appeal certain tax abatements granted by the tax commission. Inexpedient to legislate. Rep. James Allen for Municipal and County Government.

Resolution adopted by vv.

**HB 608**

requiring that county government be represented on regional planning commissions. Inexpedient to legislate. Rep. Sheldon Barker for Municipal and County Government.

Resolution adopted by vv.

**HB 663**

relative to the issuance of building permits. Ought to pass

with amendment. Rep. Walker for Municipal and County Government.

### AMENDMENT

Amend section 1 of said bill by striking out in line six the following "or RSA 156-A:1-b" and by striking out in line eight the following "RSA 31:63 or" so that said section as amended shall read as follows:

1 After Notice of Proposed Changes in Building Code or Zoning Ordinance. Amend RSA 156 by inserting after section 3 the following new section: 156:3-a Building Permits to be Withheld in Certain Cases. The building inspector shall not issue any building permit after the first legal notice of proposed changes in the building code has been posted pursuant to the provisions of RSA 156-A:1-a, I, or the first legal notice of proposed changes in the zoning ordinance has been posted pursuant to the provisions of RSA 31:63-a, if the proposed changes in the building code or the zoning ordinance would, if adopted, justify refusal of such a permit. After final action has been taken on the proposed changes in the building code or zoning ordinance, the building inspector shall issue or refuse to issue such a permit which has been held in abeyance pursuant to this section.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

### HB 707

providing for the manner of election of officers and the executive committee at county conventions. Ought to pass with amendment. Rep. Tarbell for Municipal and County Government.

### AMENDMENT

Amend said bill by striking out section 2 and renumbering section 3 to read section 2.

\* \* \*

Amendment adopted by vv.

Rep. Hanson explained the bill as amended.

Ordered to third reading by vv.

**HB 584**

relative to the Kancamagus Highway. Ought to pass. Rep. McGee for Public Works.

Ordered to third reading by vv.

**HB 653**

relative to tolls paid by trailers. Inexpedient to legislate. Rep. Spollett for Public Works.

Rep. Chris Andersen moved that the words "ought to pass" be substituted for the Committee report "inexpedient to legislate" and spoke in favor of the motion.

Rep. Trowbridge spoke against the motion.

Rep. Morrill spoke against the motion.

(discussion ensued)

Rep. Chris Andersen withdrew his motion.

Resolution adopted by vv.

**HB 658**

proposing and classifying a connecting road from the Pelham Road interchange on interstate route 93 to New Hampshire route 38. Ought to pass. Rep. Fortier for Public Works.

Ordered to third reading by vv.

**HB 672**

to reclassify a Class V highway in the Town of Farmington to a Class II highway. Inexpedient to legislate. Rep. Cummings for Public Works.

Resolution adopted by vv.

**HB 583**

relative to habitual offenders of motor vehicle provisions. Ought to pass with amendment. Rep. Bartlett for Transportation.

**AMENDMENT**

Amend the first sentence of RSA 262-B:2, I, as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

I. Three or more convictions, singularly or in combination of the following separate and distinct offenses arising out of separate acts.

Amend RSA 262-B:2, I, (i) as inserted by section 1 of the bill by striking out in line three the words "two hundred fifty" and inserting in place thereof the words (one hundred) so that said subparagraph as amended shall read as follows:

(i) Failure of the driver of a motor vehicle involved in an accident resulting only in damage to an attended or unattended vehicle or other property in excess of one hundred dollars to stop close to the scene of such accident and report his identity or otherwise report such accident in violation of law.

Amend RSA 262-B:2, II, an inserted by section 1 of the bill by striking out in line four the words "requires" and inserting in place thereof the word (authorizes) so that said paragraph as amended shall read as follows:

II. Twelve or more convictions of separate and distinct offenses, singly or in combination, in the operation of a motor vehicle which are required to be reported to the division of motor vehicles and the commission whereof authorizes the division of motor vehicles or authorizes a court to suspend or revoke the privilege to operate motor vehicles on the highways of this state for a period of sixty days or more and such convictions shall include those offenses enumerated in paragraph I when taken with and added to those offenses described herein.

Amend RSA 362-B:6 as inserted by section 1 of the bill by inserting after paragraph I the following new paragraph:

II. Until such time as financial responsibility requirements are met, and

Further amend RSA 362-B:6 as inserted by section 1 of the bill by renumbering the original paragraph II to read III.

Amend RSA 262-B:8 as inserted by section 1 of the bill by striking out in line one the word "ten" and inserting in place thereof the word (seven) so that said section as amended shall read as follows:

262-B:8 Restoration of License. At the expiration of seven years from the date of any final order of a court entered under the provisions of this chapter finding a person to be an habitual offender and directing him not to operate a motor vehicle in this state, such person may petition the court in which he was found to be an habitual offender, or any superior court in New Hampshire having jurisdiction in the political subdivision in



which such person then resides, for restoration of his privilege to operate a motor vehicle in this state. Upon such petition, and for good cause shown, such court may, in its discretion, restore to such person the privilege to operate a motor vehicle in this state upon such terms and conditions as the court may prescribe, subject too other provisions of law relating to the insurance of operators' licenses.

\* \* \*

At the request of Rep. Capistran, Rep. Morrill explained the bill.

(discussion ensued)

Rep. Morrill yielded to Rep. Logan to answer a question. Amendment adopted and the bill ordered to third reading by vv.

**HB 686**

relative to the issuance of legislative license plates. Ought to pass. Rep. Hamel for Transportation.

Ordered to third reading by vv.

**HB 706**

increasing the minimum fee for a motor vehicle permit for registration. Inexpedient to legislate. Rep. Hamel for Transportation.

Resolution adopted by vv.

**HB 717**

providing that an operator of a motor vehicle must have paid taxes for which he was liable for two years preceding application for license. Inexpedient to legislate. Rep. Bartlett for Transportation.

Resolution adopted by vv.

**HB 744**

relative to tailgating. Inexpedient to legislate. Rep. Elmer York for Transportation.

Resolution adopted by vv.

**FURTHER SENATE MESSAGE**

The Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment, in

the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 363, repealing the particular statute which exempts from poll taxes persons in military service during World War II.

#### AMENDMENT

Amend the title of the bill by striking out the same and inserting in place thereof the following:

#### AN ACT

repealing the particular statute which exempts from poll taxes persons in military service during World War II.

\* \* \*

On motion of Rep. Greenwood the House concurred in the Senate amendment.

#### FURTHER SENATE MESSAGE

The Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 17, relative to air rifles.

#### AMENDMENT

Amend House Bill 17 by striking out all after the enacting clause and inserting in place thereof the following:

1 Limitations on Air Rifles. Amend RSA 571:20-a (supp) as inserted by 1967, 65:2 by striking out said section and inserting in place thereof the following: 571:20-a Selling Air Rifles to Minors. If any person shall sell, barter, rent, lend, or give an air rifle to a minor under the age of twenty-one without the written consent of the parents or guardian, as the case may be, he shall be subject to the penalties and liabilities provided for in section 20. Air rifles may be used in NewHampshire only in the home of the minor under parental supervision or on an approved range under responsible adult supervision. Air rifles may be possessed by a minor only in his own home under parental supervision or on the way to or from an approved range that

is under the supervision of a responsible adult such as an instructor in gun safety or marksmanship.

2 Effective Date. This act shall take effect sixty days after its passage.

\* \* \*

On motion of Rep. McMeekin the House concurred in the Senate amendment.

## INTRODUCTION OF A BILL AND REFERRAL

HB 817, imposing an amusement tax. (RULES COMMITTEE for Rep. Cobleigh of Hillsboro Dist. 15 — To Ways & Means.)

## COMMITTEE REPORTS CONTINUED

### HB 563

relative to the open season on raccoon in Coos and Grafton counties. Ought to pass with amendment. Rep. Huggins for Fish and Game.

## AMENDMENT

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Open Season Extended. Amend RSA 210:2 (supp) as amended by 1959, 151:1 and 1967, 27:1, 208:1 by striking out said section and inserting in place thereof the following: 210:2 Raccoons. Raccoons may be taken and possessed with the aid of and by the use of a dog and gun in Coos and Grafton counties anytime, and in the rest of the state from August first to December first, and by the use of traps in Coos and Grafton counties anytime, and in the rest of the state from November first to December first. No person shall take more than three raccoons from twelve noon of one day to twelve noon of the following day, nor more than twenty-five raccoons in one season except these limits shall not apply in Coos and Grafton counties. No person shall hunt raccoons at night by the use of a rifle, revolver, or pistol larger than twenty-two caliber long rifle or by the use of shotgun shells carrying shot larger than number four or by the use of a light other than a kerosene

lantern or pressure type lantern or by the use of a flashlight with more than seven cells. No person shall take or attempt to take raccoons by use of a light from a motor vehicle.

\* \* \*

Rep. Oleson moved that the words "inexpedient to legislate" be substituted for the committee report "ought to pass with amendment" and spoke in favor of the motion.

Rep. Huggins spoke against the motion.

(discussion ensued)

Motion lost by vv.

Amendment adopted and the bill ordered to third reading by vv.

### INTRODUCTION OF A GUEST

The Speaker announced that former Representative Arthur A. Bouchard who served in the House 22 years was a guest of the House today, courtesy of the Berlin Delegation.

The Speaker advised the House that Rep. McGee and her husband were celebrating their 37th wedding anniversary today.

The Speaker also advised the House that Rep. and Mrs. Champagne will celebrate their 60th wedding anniversary next Saturday, May 3.

The Speaker advised the House that yesterday Rep. Logan celebrated his 39th birthday.

\* \* \*

On motion of Rep. Stafford the House adjourned from the early session, and the Rules of the House were so far suspended as to permit the reading of bills by title only, and that when the House adjourns today that it adjourn in honor of Law Day and to meet Tuesday next at 11:00 o'clock.

This being Law Day Rep. Stafford addressed the House briefly.

(Rep. Trowbridge in the Chair)

LATE SESSION  
THIRD READINGS

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 755, exempting persons in the business of second mortgage loans from the provisions of the small loans statute.

HB 688, relative to appeals from decisions by selectmen refusing to grant a veterans property tax exemption.

HB 618, to permit experimentation and pilot programs in bilingual education.

HB 616, relative to jurisdiction of the courts over non-resident individuals.

HB 663, relative to the issuance of building permits.

HB 707, providing for the manner of election of officers and the executive committee at county conventions.

HB 584, relative to the Kancamagus Highway.

HB 658, proposing and classifying a connecting road from the Pelham Road interchange on interstate route 93 to New Hampshire route 38.

HB 583, relative to habitual offenders of motor vehicle provisions.

HB 686, relative to the issuance of legislative license plates.

HB 563, relative to the open season on raccoon in Coos and Grafton counties.

RECONSIDERATION

Rep. Murray served notice that today or some subsequent day he would ask for reconsideration of HB 495, relative to overseers of public welfare.

On motion of Rep. Andrews the House adjourned at 12:47 in honor of Law Day.

*Tuesday, May 6, 1969*

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain Rev. David Forry from Hampshire School of Rindge.

We lift our heavy hearts in moments like this in order to gain courage to meet the tests of the day. We strive to lay aside the burdens of self in order to be refreshed to take up the problems of the people of New Hampshire.

We choose to open our minds in this forum of decision to new possibilities and new occasions.

In our lifting, our striving, and our choosing, we turn to the same creative process which made the hills and mountains of this state and ask that our souls, minds, and bodies become recreated in the spirit of justice and equality for all people. Amen.

#### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Cox led the House in the Pledge of Allegiance to the Flag.

#### LEAVES OF ABSENCE

Rep. Cone was granted indefinite leave of absence on account of illness.

Reps. Berkey, Radway and Goode were granted leave of absence for the day on account of important business.

Reps. Stimmell and Normandin were granted leave of absence for the week on account of important business.

#### RESOLUTION

Rep. Logan offered the following resolution:

Resolved, that in accordance with the list in the possession of the clerk, House Bills numbered 818 through 825 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.



## INTRODUCTION OF BILLS

The following bills were read a first and second time, laid on the table for printing and referred as follows:

HB 818, relative to taxation of the profits on the sale of real estate. (Bednar of Hillsboro Dist. 23, Stevenson of Grafton Dist. 1 — To Resources, Recreation & Development.)

HB 819, to authorize school districts to elect its officers at annual town meeting for election of town officers. (Bednar of Hillsboro Dist. 23 — To Municipal & County Government.)

HB 820, to establish The Higher Education Assistance Corporation. (Logan of Sullivan Dist. 1, Johnson of Grafton Dist. 9 — To Education.)

HB 821, directing the sweepstakes commission to establish a state gambling commission. (Maglaras of Strafford Dist. 20 — To Executive Departments & Administration.)

HB 822, relative to a referendum by the voters of the city of Claremont concerning the alternatives of a mayor or manager form of city government. (D'Amante of Sullivan Dist. 5 — To Claremont Delegation.)

HB 823, relative to industrial homework. (Radway of Grafton Dist. 9 — To Labor, Human Resources & Rehabilitation.)

HB 824, relative to the reimbursement of towns and cities for land and buildings taken by the United States for Flood control. (Michels of Merrimack Dist. 19 — To Public Works.)

HB 825, to increase salaries of certain state officers. (RULES COMMITTEE for Rep. Johnson of Grafton Dist. 9 — To Executive Departments & Administration.)

## ENROLLED BILLS COMMITTEE REPORT

The Committee on Enrolled Bills have examined and found correctly enrolled the following entitled Senate Bills, House Bills and House Joint Resolution:

SB 77, An Act to extend the amount and repayment time of loans and to provide for unsecured loans for any purpose made by cooperative banks and building and loan associations.

SB 102, An Act relative to continuance of cases for non-support.

SB 121, An Act relative to the good samaritan law.

HB 87, An Act relative to the distribution to and counting of ballots in additional polling places.

HB 133, An Act prohibiting motorboats on Willard Pond in Antrim.

HB 163, An Act making it illegal to drive while under the influence of hallucinogenic drugs.

HB 231, An Act relative to certificates without examination for the practice of psychology and relative to associate psychologists.

HB 243, An Act relative to protection of confidential medical information obtained for research purposes by the department of health and welfare.

HB 347, An Act relative to taxation of real estate separate from ore, sand, gravel, loam or similar substances.

HB 369, An Act to increase the lobbyists registration fee.

HB 486, An Act providing for an associate justice and a deputy clerk for the Manchester District Court and increasing the maximum salary provision for justices of district courts.

HB 521, An Act enabling towns to have a contingency fund without being required to put a special article in the warrant each year.

HB 536, An Act authorizing towns to enter into agreements with other governmental units for refuse collection and disposal and the maintenance and operation of ambulances.

HB 537, An Act relative to expenses of extinguishing fires in unincorporated places.

HJR 13, Joint Resolution providing supplemental appropriation for the New Hampshire Soldiers Home in Tilton.

Roxie A. Forbes  
for the Committee

\* \* \*

Rep. Murray withdrew his notice of reconsideration on HB 495, relative to overseers of public welfare.

## SENATE MESSAGE

The Senate refuses to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

HB 346, relative to the council of resources and development.

## FURTHER SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 154, relative to abandoned or neglected cemetery lots.

HB 369, to increase the lobbyists registration fee.

HB 521, enabling towns to have a contingency fund without being required to put a special article in the warrant each year.

HB 536, authorizing towns to enter into agreements with other governmental units for refuse collection and disposal and the maintenance and operation of ambulances.

HB 537, relative to expenses of extinguishing fires in unincorporated places.

HB 567, relative to the place and hours of business of tax collectors.

## FURTHER SENATE MESSAGE

The Senate has voted to adopt the amendments offered by the Committee on Enrolled Bills, to the following House Bill:

HB 133, prohibiting motor boats on Willard Pond in Antrim.

FURTHER SENATE MESSAGE, INTRODUCTION OF  
SENATE BILLS AND SJR AND REFERRAL

The Senate has passed the following entitled Bills & Joint Resolution, in the passage of which it asks the concurrence of the House of Representatives:

SB 103, relative to committing for observation a person indicted or bound over. Judiciary.

SB 118, relative to the ballot-law Commission's authority to determine certain disputes. Constitutional Revision.

SB 154, relative to defrauding an innkeeper. Executive Department and Administration.

SB 190, relative to youth employment. Legislative Revision.

SB 185, enacting the uniform recognition of acknowledgements act. Judiciary.

SJR 14, in favor of Donald A. Mason. Claims.

## RESOLUTION

Reps. McMeekin & Raiche offered the following Resolutions:

Resolution on House Bills 708 and 786.

*Whereas*, there is pending before the House of Representatives House Bill No. 708, An Act authorizing municipalities to levy special assessments for the construction, operation and maintenance of parking facilities and approaches thereto, and House Bill No. 786, An Act authorizing towns and cities to increase motor vehicle permit fees; and

*Whereas*, there has been proposed to said bills amendments which would limit said bills to cities and towns with a population of not less than sixty thousand, and

*Whereas*, questions have been raised concerning the constitutionality of said bills with the proposed amendments; now therefore be it

*Resolved*, that the Justices of the Supreme Court be respectfully requested to give their opinion upon the following questions of law:

1 If the bills with proposed amendments are enacted, would they be constitutional.

2 Does a law which applies only to municipalities with a population of not less than sixty thousand require a referendum vote by the voters of Manchester since Manchester will be the only municipality affected.

3 May the legislature authorize municipalities to collect motor vehicle permit fees for the purpose of funding the construction of parking facilities, as is proposed in HB 786?

4 May the legislature authorize municipalities to levy assessments upon owners or lessees of lease-hold interest whose lands receive special benefits from the construction of parking facilities in order to defray the cost of such facilities as proposed in HB 708. (252-A:7).

5 Is the basis of assessment as proposed in HB 708 (252-A:8) constitutional?

6 May the legislature authorize municipalities to make assessments for operating expenses as provided in HB 708 (252-A:9).

7 May the legislature authorize municipalities to lease air rights as provided in HB 708, part 2 (48-B:2)?

8 Would such leases be subject to taxation as provided in HB 708, part 2 (48-B:4)

*Be it Further Resolved* that the Speaker transmit seven copies of this resolution, of House Bill No. 708, of House Bill No. 786, of the proposed amendment to House Bill No. 708, and of the proposed amendment to House Bill No. 786 to the Clerk of the Supreme Court for consideration by said court.

\* \* \*

The Clerk read the resolution in full.

Resolution adopted by vv.

## COMMITTEE REPORTS

### HB 620

relative to the organization of trust companies. Ought to pass with amendment. Rep. Charles Cheney for Banks and Insurance.

## AMENDMENT

Amend section 2 of the bill by striking out said section and inserting in place thereof the following new sections:

2 Petition. Amend RSA 392:5 by inserting in line five after the word "incorporation" the words (upon receipt of said petition, the bank commissioner shall cause to be made a complete and exhaustive field investigation based upon a thorough analysis of the factors on which a decision of approval or denial is

based. These factors shall include but not be limited to the five factors as given in RSA 392:8) so that said section as amended shall read as follows: 392:5 Petition. A petition setting forth said agreement of association or the terms thereof, signed by the subscribers thereto and praying for a decision of the question whether the public convenience and advantage will be promoted by the establishment of such corporation, shall be filed with the board of trust company incorporation. Upon receipt of said petition the bank commissioner shall cause to be made a complete and exhaustive field investigation based upon a thorough analysis of the factors on which a decision of approval or denial is based. These factors shall include but not be limited to the five factors as given in RSA 392:8.

3 Publication. Amend RSA 392:6 by striking out said section and inserting in place thereof the following: 392:6 Notice. A notice in such form as said board shall approve, stating the date before which objections may be filed, shall then be published at least once a week for three successive weeks, in one or more newspapers to be designated by said board, one of which shall be a newspaper published in the city or town in which it is proposed to establish the corporation, if there be such, otherwise one published in the county in which said city or town is situated, the first publication of such notice to be within thirty days after said petition is filed with said board, and a copy of such notice shall be mailed to every bank, trust company or similar corporation located in said city or town. Any interested person or corporation may, within the time specified, file with the board a statement of objection to the granting of such petition.

4 Notice. Amend RSA 392:7 by striking out said section and inserting in place thereof the following: 392:7 — Form. Such notice shall specify the names of the incorporators, the name of the corporation and the location of the same, as set forth in said agreement.

5 Another Petition. Amend RSA 392:9 by striking out said section and inserting in place thereof the following: 392:9 New Agreement. If in any case the board shall be of the opinion that the public convenience and advantage will not be promoted by the exercise by the proposed corporation of all the powers and privileges which are included in said agreement of association, but that the same would be promoted by the exer-



cise of a part thereof, it shall so notify the petitioners; and in such case the petitioners may have leave to withdraw, and may at once file another petition setting forth a new agreement of association, upon which the same procedure shall be had as upon an original petition.

6 Effective Date. This act shall take effect sixty days after its passage.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

#### **HB 679**

relating to use of nominees by savings banks. Ought to pass with amendment. Rep. Allard for Banks and Insurance.

#### **AMENDMENT**

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Registration of Securities Owned by Bank. Amend RSA 387 by inserting after section 24 the following new section:

387:24-a Nominee. Notwithstanding the provisions of section 24, any savings bank may cause certificates for shares of stock, certificates of interest, registered bonds or other securities owned by it, to be registered and held in the name of a nominee without mention of the bank's ownership; provided that (1) the records of the bank clearly show its ownership of such securities and the name and address of the nominee in whose name the same are held; and (2) the nominee shall not have possession of, or uncontrolled access to, such securities; and (3) every nominee shall be a bonded employee of the savings bank in question or of the correspondent bank of such savings bank which has the custody of such securities.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

#### **HB 742**

relative to the power of the Concord Commercial College

to grant certain degrees. Ought to pass. Rep. Greene for Education.

Ordered to third reading by vv.

**HB 662**

relative to the open season for taking of partridge, and

**HB 674**

relative to the season for partridge, were withdrawn by committee.

**HB 711**

relative to the use of snow traveling vehicles on Great Bay. Ought to pass. Rep. Brungot for Judiciary.

Ordered to third reading by vv.

**HB 749**

relative to investments of town trustees. Ought to pass. Rep. Buckman for Judiciary.

Ordered to third reading by vv.

**SB 87**

relative to terms of superior court for Hillsborough county. Ought to pass. Rep. Radway for Judiciary.

Ordered to third reading by vv.

**HB 718**

providing for an exception to the minimum wage laws. Inexpedient to legislate. Rep. Willard Thompson for Labor, Human Resources and Rehabilitation.

Resolution adopted by vv.

**SB 26**

relative to increasing the per diem allowance for members of the board of parole. Ought to pass. Rep. Carmen for Labor, Human Resources and Rehabilitation.

Ordered to third reading by vv.

**SB 126**

allowing all prisoners to be eligible for a reduction in their minimum sentence for meritorious conduct. Ought to pass. Rep. Cate for Labor, Human Resources and Rehabilitation.

Ordered to third reading by vv.

**SB 127**

allowing the reduction of a maximum sentence while on

parole. Ought to pass. Rep. Cate for Labor, Human Resources and Rehabilitation.

Ordered to third reading by vv.

**HB 698**

requiring the percent of alcohol contained in malt beverages be listed on the container or label. Inexpedient to legislate. Rep. Robert Dion for Liquor Laws.

Resolution adopted by vv.

**HB 704**

permitting restaurants, hotels and clubs holding on-sale permits to sell beverages on Sundays. Ought to pass with amendment. Rep. Rep. Robert Dion for Liquor Laws.

Rep. O'Neil moved that HB 704 be laid on the table.

Motion adopted by vv.

**HB 606**

relative to the time of mailing the county budget statement. Inexpedient to legislate. Rep. Hanson for Municipal and County Government.

Resolution adopted by vv.

**HB 637**

relative to the expenses for county attorneys. Ought to pass. Rep. Sheldon Barker for Municipal and County Government.

Ordered to third reading by vv.

**SB 144**

establishing the state's right to the air space above certain highways. Ought to pass with amendment. Rep. Raymond for Public Works.

**AMENDMENT**

Amend the title of the bill by striking out the same and inserting in place thereof the following:

**AN ACT**

establishing the state's right to the air space above and below certain highways.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Air Rights Established. Amend RSA 249 by inserting after section 21 the following new section: 249:21-a Right to Air Space Above and Below Certain Highways. The state shall have exclusive rights, insofar as they do not conflict with any federal statute, to build into, lease or utilize for any public purpose the air space directly above or below the toll highways and the interstate system highways within this state. These rights to said air space shall extend upward or downward so far as is practical and reasonable for the purposes of the state and it shall be unlawful for any person or persons to violate said air space except as allowed by the state. The department of public works and highways shall be responsible for the administration and enforcement of this section. Nothing in this section shall be construed as prohibiting aircraft from flying through the air space above the herein mentioned highways. Notwithstanding the foregoing, public utilities shall have the right to erect lines through said air space in accordance with RSA 254.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

**HB 680**

relative to the northern county area industrial agent. Ought to pass. Rep. Claflin for Resources, Recreation and Development.

Ordered to third reading by vv.

**HB 110**

relative to establishment of conservation areas by private persons. Inexpedient to legislate. Rep. Claflin for Resources, Recreation and Development.

Resolution adopted by vv.

\* \* \*

Rep. Hanson moved that the order whereby HB 824, relative to the reimbursement of towns and cities for land and buildings taken by the United States for Flood Control, was referred to Public Works, be vacated and referred to Municipal and County Government, and spoke in favor of the motion.

Motion adopted by vv.

Rep. Hanson moved that the order whereby HB 60, prohibiting a person from holding at one time the offices of representative and county commissioner, was referred to Municipal and County Government, be vacated and referred to Statutory Revision, and spoke in favor of the motion.

Motion adopted by vv.

The Speaker granted a six day extension on the following House Bills under Rule 56:

HB 490, relative to the fiscal years of towns and village districts. Municipal and County Government.

HB 506, amending the charter of the city of Nashua by raising the salary of the aldermen. Nashua Delegation.

HB 516, providing for reasonable notice of ski injuries to operators. Statutory Revision.

HB 520, to prohibit debt pooling. Banks & Insurance.

HB 524, allowing work done for close family relations to be considered employment for the purposes of the unemployment compensation law. Labor, Human Resources & Rehabilitation.

HB 527, to provide for assistance to employees in the prosecution of third party actions in cases where workmen's compensation benefits have been received. Labor, Human Resources and Rehabilitation.

HB 532, relative to the salary of the register of deeds for Strafford County Delegation.

On motion of Rep. Stafford the House adjourned from the early session, and the Rules of the House were so far suspended as to permit the reading of bills by title only, and that when the House adjourns today it adjourns in memory of Petty Officer 3/C Thomas W. Gaudet USN, Salem, N. H. killed in action on board a U. S. Navy Gunboat in Chunog Thien Province, Vietnam on April 21st, and to meet tomorrow morning at 11:00 o'clock.

### LATE SESSION THIRD READINGS

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 620, relative to the organization of trust companies.

HB 679, relating to use of nominees by savings banks.

HB 742, relative to the power of the Concord Commercial College to grant certain degrees.

HB 711, relative to the use of snow traveling vehicles on Great Bay.

HB 749, relative to investments of town trustees.

HB 637, relative to the expenses of county attorneys.

HB 680, relative to the northern county area industrial agent.

The following Senate Bills were read a third time, and sent to the Secretary of State to be enrolled:

SB 87, relative to terms of superior court for Hillsborough county.

SB 26, relative to increasing the per diem allowance for members of the board of parole.

SB 126, allowing all prisoners to be eligible for a reduction in their minimum sentence for meritorious conduct.

SB 127, allowing the reduction of a maximum sentence while on parole.

SB 144, establishing the state's right to the air space above and below certain highways, was sent to the Senate for concurrence in the House amendment.

\* \* \*

On motion of Rep. Tilton the House adjourned at 11:47 A. M. in memory of Petty Officer 3/C Thomas W. Gaudet USN, Salem, N. H. killed in action on board a U. S. Navy Gunboat in Chunog Thien Province, Vietnam on April 21st.



*Wednesday, May 7, 1969*

The House met at 11:00 o'clock.

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

O God, Giver of life, Provider of life's sustenance, Author of salvation, Determiner of destiny, the image of ourselves diminishes to nothing as we come into the presence of Thy greatness. And yet, O Lord, we learn that we are valuable in Thy sight. Help us to accept our worth and prove it by the surrender of our lives to Thy will and the committal of our powers to Thy purposes. We bring unto Thee our hearts for cleansing, our minds for inspiration and our wills for strengthening. Help us to increase the compassion of our hearts by the exercise of loving-kindness, to seek truth in our search for justice, and to dedicate our knowledge upon the altar of wisdom. In whatever circumstance or condition of life we find ourselves, may we find opportunity to grow, to invest our talents in worthy causes, and to serve with honor in our public service. Be Thou our Guardian and Guide in all that we do today. Amen.

#### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Storm led the House in the Pledge of Allegiance to the Flag.

#### LEAVES OF ABSENCE

Rep. Howland was granted indefinite leave of absence for the day on account of illness.

Rep. Bent was granted leave of absence for today and Thursday on account of a death in the family.

Rep. Urie was granted leave of absence for the day to attend a funeral.

Reps. Edward Johnson and Radway were granted leave of absence for the day on account of important business.

#### RESOLUTION

Rep. McMeekin offered the following resolution:

*Resolved*, that in accordance with the list in the possession of the clerk, House Bills numbered 826 through 838 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.

## INTRODUCTION OF BILLS

The following bills were read a first and second time, laid on the table for printing and referred as follows:

HB 826, relative to the rehabilitation and liquidation of insurers. (Bigelow of Merrimack Dist. 3 — To Banks & Insurance.)

HB 827, relative to capital requirements of insurance companies. (Bigelow of Merrimack Dist. 3 — To Banks & Insurance.)

HB 828, regulating unauthorized and unlicensed insurance companies. (Bigelow of Merrimack Dist. 3 — To Banks & Insurance.)

HB 829, regulating and acquisition of domestic insurance companies and domestic insurance holding companies. (Bigelow of Merrimack Dist. 3 — To Banks & Insurance.)

HB 830, providing for reporting to the insurance commissioner by domestic insurance companies or associations of certain conveyances of interest in the assets of such companies or associations. (Bigelow of Merrimack Dist. 3 — To Banks & Insurance.)

HB 831, permitting dining and dancing in the same room where liquor is served. (D'Amante of Sullivan Dist. 5 — To Liquor Laws.)

HB 832, restricting abusive treatment to horses. (Welch of Merrimack Dist. 27 — To Agriculture.)

HB 833, amending the Claremont city charter by providing that the compensation of members of the city council shall be set by ordinance. (D'Amante of Sullivan Dist. 5 — To Claremont Delegation.)

HB 834, relative to payments by health and accident insurers and medical and hospital service corporation. (Welch of Merrimack Dist. 27 — To Banks & Insurance.)

HB 835, relative to clothing worn by certain hunters. (Maynard of Rockingham Dist. 24, Kinney of Strafford Dist. 19 — To Fish & Game.)

HB 836, relative to the election of county commissioners. (Desilets of Coos Dist. 7, Cares of Hillsboro Dist. 24, O'Hara of Coos Dist. 5, E. York of Coos Dist. 7 — To Municipal & County Government.)

HB 837, providing for certain people who do not possess a motor vehicle operator's license to operate a snow traveling vehicle to cross public ways. (Hayes of Carroll Dist. 3 — To Judiciary.)

HB 838, requiring the semiannual payment of real estate property taxes. (Cares of Hillsboro Dist. 24, Levesque of Strafford Dist. 13 — To Municipal & County Government.)

#### SENATE MESSAGE, INTRODUCTION OF SENATE BILLS AND REFERRAL

The Senate has passed the following entitled bills, in the passage of which it asks the concurrence of the House of Representatives:

SB 44, to increase the minimum coverage of motor vehicle liability insurance. Banks & Insurance.

SB 51, to require medical payment provisions in automobile liability insurance policies. Banks & Insurance.

SB 171, authorizing certain minors to serve liquors and beverages in dining rooms of hotels and restaurants. Liquor Laws.

#### FURTHER SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following entitled joint resolution sent up from the House of Representatives:

HJR 1, in favor of Julie Locke and Herve Pelchat.

## REPORT OF COMMITTEE ON ENROLLED BILLS

The Committee on Enrolled Bills have examined and found correctly enrolled the following entitled House Bill:

HB 154, An Act relative to abandoned or neglected cemetery lots.

Roxie A. Forbes  
for the committee

## FURTHER SENATE MESSAGE

The Senate has voted to adopt the amendments offered by the Committee on Enrolled Bills, to the following House Bill:

HB 534, relative to hunting on islands by certain disabled persons.

## AMENDMENT

Amend the bill by striking out the first three lines and inserting in place thereof the following:

1 Amputee. Amend RSA 208:6-a as inserted by 1963, 315:2 by striking out said section and inserting in place thereof the following:

208:6-a Hunting on Islands by Certain Disabled Persons.

The Clerk read the amendment in full.

Amendment adopted by vv.

## FURTHER SENATE MESSAGE

The Senate has voted to adopt the amendments offered by the Committee on Enrolled Bills, to the following House Bill:

HB 567, relative to the place and hours of business of tax collectors.

## AMENDMENT

Amend section 1 of the bill by striking out lines one through seven and inserting in place thereof the fololwing:

1 Collector to be at Usual Place of Business One Day Each Month. Amend RSA 41:35 (supp) as amended by 1965, 27:1

and 1967, 111:1 by striking out said section and inserting in place thereof the following: 41:35 Duties of Collector. Every collector of taxes

The Clerk read the amendment in full.

Amendment adopted by vv.

## COMMITTEE REPORTS

### HB 682

prohibiting banking institutions from requiring checking account depositors to pay service charges with respect thereto. Inexpedient to legislate. Rep. Lang for Banks and Insurance.

Resolution adopted by vv.

### HB 697

relating to deposits in savings banks. Ought to pass with amendment. Rep. Avery for Banks and Insurance.

## AMENDMENT

Amend RSA 386-A:23 as inserted by section 1 of the bill by striking out in lines three and four the words "savings depositors" and inserting in place thereof the words (holders of interest bearing savings accounts) so that said section as amended shall read as follows:

386-A:23 Deposits. A savings bank organized hereunder may accept savings deposits from any person, firm, association or corporation disposed to enjoy the advantages of such bank. Any such bank may classify its holders of interest bearing savings accounts according to the character, amount, duration, volume or regularity of their dealings with the bank, may by bylaw determine the privileges and obligations of each class of depositors, and subject to other applicable provisions of law, may divide the net income or profits of deposits, based on such classification, at such reasonable times and in such just manner and proportion and subject to such equitable rules and regulations as the bank may from time to time provide, so long as each depositor shall receive the same rate of interest as all others in his class. The right is reserved to such banks to refuse any sums offered for deposit and to repay deposits. In addition to the powers contained in its bylaws, any such bank may at any time require that up to ninety days' advance notice be given to it by

each depositor prior to the withdrawal of any savings deposit or portion thereof; provided that written notice of any such action taken by the bank shall be given immediately to the bank commissioner.

Amend section 3 of the bill by striking out the same and inserting in place thereof the following:

3 Repeal. RSA 386:44-53 relative to bonus account deposits and dividends on special accounts are hereby repealed. However, such repeal shall not affect any private rights vested thereunder.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

#### **HB 743**

permitting the purchase of firearms in contiguous states. Ought to pass. Rep. Higgins for Constitutional Revision.

Ordered to third reading by vv.

#### **HB 734**

requiring repayment of counsel fees and expenses paid by state or municipality. Ought to pass with amendment. Rep. Capistran for Judiciary.

### **AMENDMENT**

Amend the title of the bill by striking out the same and inserting in place thereof the following:

#### **AN ACT**

requiring repayment of counsel fees and expenses paid by state or municipality.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Repayment. Amend RSA 604-A by inserting after section 8 the following: 604-A:9 Repayment. Any defendant whose case is continued for sentence, or who receives a suspended sentence, or who is placed on probation, and who has had counsel assigned to him at the expense of the state or county or city or town, may



be ordered by the court to repay the state, county, city, or town all of the fees and expenses paid on his behalf on such terms as the court may order. Failure to comply with the court's order shall be considered a violation of probation and shall, after a summary hearing, be punished.

\* \* \*

Amendment adopted by vv.

At the request of Rep. Mackintosh, Rep. Capistran explained the bill as amended.

Ordered to third reading by vv.

#### **HB 667**

relative to child placing and child caring agencies was withdrawn by committee.

#### **HB 684**

relative to sick leave for classified employees. Ought to pass with amendment. Rep. Willard Thompson.

### **AMENDMENT**

Amend RSA 99:2, paragraph e as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

e. Other provisions of law notwithstanding, all classified state employees who qualify for workmen's compensation benefits under RSA 281 may draw such benefits or may elect to supplement such benefits with sick or annual leave benefits or both under rules and regulations approved by the governor and council for the computation of charges against sick and annual leave benefits.

Amendment adopted and the bill ordered to third reading by vv.

#### **HJR 51**

providing for study of compensation for classified state employees who are assigned standby duty. Ought to pass. Rep. Cate for Labor, Human Relations and Rehabilitation.

Ordered to third reading by vv.

**SB 128**

relative to time served by a prisoner upon violation of parole. Ought to pass. Rep. Cate for Labor, Human Resources and Rehabilitation.

Ordered to third reading by vv.

**HB 409**

relative to a planned unit residential development. Inexpedient to legislate. Rep. Hanson for Municipal and County Government.

Resolution adopted by vv.

**HB 617**

relative to timely filing and paying of taxes. Ought to pass with amendment. Rep. Randlett for Municipal and County Government.

**AMENDMENT**

Amend section 1 of the bill by inserting after paragraph III the following new paragraph:

IV. Exception. The provisions of this section shall not apply to payment or remittance for tax sales, the advertisement of tax sales, tax sale redemptions or payment of subsequent taxes thereon.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

**HB 555**

relative to project in the surface waters of the state and establishing a water project review board. Inexpedient to legislate. Rep. Claflin for Resources, Recreation and Development.

Resolution adopted by vv.

**HB 625**

relative to construction, mining and other projects to surface waters of the state. Inexpedient to legislate. Rep. Claflin for Resources, Recreation and Development.

Resolution adopted by vv.

**HB 665**

regulating the speed of motor boats on Wickwas, Pemigewasset and Winona lakes. Ought to pass with amendment. Rep. Claflin for Resources, Recreation and Development.

Rep. Claflin moved that HB 665 be recommitted to committee.

Motion adopted by vv.

**HB 739**

relative to restricting use of motorboats on Norway Pond in Hancock. Ought to pass with amendment. Rep. Claflin for Resources, Recreation and Development.

Rep. Claflin moved that HB 739 be recommitted to committee.

At the request of Rep. deBlois, Rep. Claflin answered questions.

Rep. George Roberts spoke against the motion.

**PARLIAMENTARY INQUIRY**

Rep. George Roberts rose on a point of parliamentary inquiry.

Motion adopted by vv.

**HB 586**

relative to changing the name of Round Pond in the town of Wakefield to Lake Ivanhoe. Ought to pass. Rep. Hebert for Statutory Revision.

Ordered to third reading by vv.

**HB 588**

to authorize business corporations to indemnify directors, officers and employees under certain circumstances. Ought to pass with amendment. Rep. Burleigh for Statutory Revision.

**AMENDMENT**

Amend RSA 294:4, IX as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

IX. To indemnify and reimburse any person made a party

to any action, suit or proceeding by reason of the fact that such party, or the person whose legal representative or successor such party is, was or is a director, officer or employee of such corporation or, at its request, of another corporation in which it has an interest for expenses, including attorneys' fees, and such amount of any judgment, money decree, fine, penalty or settlement for which he may have become liable as the board of directors deems reasonable, actually incurred by him in connection with the defense or reasonable settlement of any such action, suit or proceeding, or any appeal therein, except in relation to matters as to which such party, or the person whose legal representative or successor such party is, is finally adjudged in such action, suit or proceeding not to have acted in good faith in the reasonable belief that his action or failure to act was in the best interests of the corporation first mentioned; such power to be exercised on behalf of the corporation by its board of directors.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

**HB 661**

relative to bequests to charities. Inexpedient to legislate. Rep. Burleigh for Statutory Revision.

Resolution adopted by vv.

**HB 683**

relative to the penalty for killing dogs. Ought to pass. Rep. Coggeshall for Statutory Revision.

At the request of Rep. Hackler, Rep. Coggeshall explained the bill.

Ordered to third reading by vv.

**HB 720**

providing for recovery of interest, and cost of collection fees in actions to collect on checks, drafts or orders issued against non-existent accounts or insufficient funds. Ought to pass. Rep. Coggeshall for Statutory Revision.

Ordered to third reading by vv.

**HB 727**

relative to the transfer of real property. Ought to pass. Rep. Burleigh for Statutory Revision.

At the request of Rep. Andrews, Rep. Burleigh explained the bill.

(discussion ensued)

Ordered to third reading by vv.

#### **SB 54**

establishing a legislative study committee. Ought to pass with amendment. Rep. McMeekin for Statutory Revision.

### **AMENDMENT**

Amend RSA 17-B:4 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

17-B:4 Compensation. The members of the committee shall serve without compensation, but they shall be entitled to legislative mileage and necessary expenses incurred while attending meetings of the committee, within the state, except members shall not be entitled to said mileage and expenses when the general court is in session.

\* \* \*

At the request of Rep. O'Neil, Rep. McMeekin answered questions.

At the request of Rep. Mackintosh, Rep. McMeekin further explained the bill.

Amendment adopted and the bill ordered to third reading by vv.

#### **HB 671**

relative to penalties for driving without a valid license. Inexpedient to legislate; subject covered by previous legislation. Rep. Elmer York for Transportation.

Resolution adopted by vv.

#### **HB 745**

eliminating the prohibition against a holder of a New Hampshire operator's license also holding one from another state. Inexpedient to legislate. Rep. Hamel for Transportation.

Resolution adopted by vv.

**HB 339**

increasing the tobacco tax for the purpose of reducing tuition at the University of New Hampshire. Inexpedient to legislate; withdrawn by sponsor. Rep. Ratoff for Ways and Means.

Resolution adopted by vv.

**HB 428**

legalizing limited gambling and gaming activities operated and controlled by the state of New Hampshire and its authorized agents. No Recommendation. Rep. Ratoff for Ways and Means.

Rep. Ratoff moved that HB 428 be made a special order for 11:02 Thursday, May 21st and spoke in favor of the motion.

Motion adopted by vv.

**HB 654**

charging tax exempt organizations for services rendered. Inexpedient to legislate. Rep. McLane for Ways and Means.

Resolution adopted by vv.

**HB 689**

relative to insurance fees from sale of securities. Ought to pass. Rep. Maloomian for Ways and Means.

Ordered to third reading by vv.

**HB 719**

relative to personal property tax liens on mobile homes. Ought to pass. Rep. Brocklebank for Ways and Means.

Ordered to third reading by vv.

Rep. O'Neil moved that HB 704, permitting restaurants, hotels and clubs holding on-sale permits to sell beverages on Sundays, be removed from the table.

Motion adopted by vv.

**HB 704**

permitting restaurants, hotels and Clubs holding on-sale permits to sell beverages on Sundays. Ought to pass with amendment. Rep. Robert Dion for Liquor Laws.

**AMENDMENT**

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:



1 Sunday Restrictions Removed. Amend RSA 176:11 (supp) as amended by 1963, 50:1, 1965, 50:1 and 1967, 315:2 by striking out said section and inserting in place thereof the following:

176:11 Rules and Regulations; Restrictions on Sales. Said commission shall have the power to make all necessary and proper rules and regulations for carrying out the provisions hereof, and such rules and regulations shall have the effect of law. No sale of beverages shall be made on Sundays by persons holding permits under the provisions of RSA 181:8 and 181:9. Liquor or beverages shall not be sold in any establishment where booths that are not open at the end are used for serving patrons. Costumers shall be of such design and constructed in such manner as approved by the commission.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2 Effective Date. This act shall take effect upon its passage.

\* \* \*

At the request of Rep. Strafford, Rep. Collishaw explained the bill as amended.

Amendment adopted and the bill ordered to third reading by vv.

Rep. Peter Cote moved that HB 503, providing real estate tax exemptions for certain persons sixty-five years of age or over in the city of Nashua, be granted a six-day extension.

Motion adopted by vv.

\* \* \*

Rep. Stevenson moved that the order whereby HB 818, relative to taxation of the profits on the sale of real estate, was referred to Resources, Recreation and Development be vacated and it be referred to Ways and Means.

Rep. Zachos moved that the order whereby HB 772, relative to possession of certain weapons under the age of eighteen years, was referred to Judiciary be vacated and it be referred to Statutory Revision.

Motion adopted by vv.

Reps. Logan and Raiche offered the following:

HOUSE RESOLUTION RECOMMENDED BY  
RULES COMMITTEE

*Whereas*, the office of legislative services has in its possession:

1. Twenty-three House Bills which have not been drafted;
2. Thirty which have been drafted and are now in the process of being typed;
3. Twenty-six which are out for approval by the sponsor; and

4. Twenty-two which have been drafted that are being held up by the sponsor, making a total of one hundred one; and

*Whereas*, the office of legislative services advises us that it can have all these bills in the hands of the sponsor by next week; now therefore

Be it resolved by the House of Representatives

That any House Bill included in this one hundred one requests, which has not been approved by the sponsor for introduction by 5:00 p. m. on Thursday, May 15th, shall become null and void and may not be introduced except by permission of the Rules Committee; and be it

*Further resolved*, that after that date, no bill may be introduced in the House except by permission of the Rules Committee.

The Speaker read the resolution in full.

PARLIAMENTARY INQUIRY

Rep. George Roberts, deBlois and Stevenson rose on a point of parliamentary inquiry.

CHAIR'S REMARKS RE BUDGET BILLS

As you all know, the Budget Bills will be on the floor for action tomorrow.

While the Rules permit offering of amendments from the floor, Rule 41 does provide that "all amendments to bills shall

be in writing, with the name of the member and the district he represents thereon."

Because of the complexity of the Budget Bills, the Chair recommends that anyone who intends to propose an amendment to the Budget Bills have it printed in today's Journal so that the members will have it before them in written form. This will not only be of benefit to the members, but I am sure you all realize that an amendment has a much better chance of being considered and being adopted if the members have it in their hands by its being printed in the Journal.

If any member wishes to have a proposed amendment so printed, the Chair directs that they have the Office of Legislative Services approve the amendment for form before it is so printed.

The Chair would like to further state that it will permit amendments to the Budget Bills to be adopted which change particular line items in the budget without correcting the sub totals and totals which will be affected by any such amendments because the correction of such totals can be done when the bill is enrolled and to try and include such corrections of the totals in the amendment would only complicate a consideration on the floor.

\* \* \*

Reps. Bridges, Mackenzie, Sterling offered the following

#### HOUSE RESOLUTIONS

*Whereas*, yesterday, militant students at Dartmouth College occupied one of the college buildings without the permission of the administration and forcibly excluded therefrom the rightful occupants, and

*Whereas*, this was the first instance in this state of overt acts of militancy by students in order to enforce their demands upon the duly constituted authorities of institutions of higher learning, and

*Whereas*, by expeditious and intelligent action of Governor Walter Peterson and the New Hampshire State Police, this incident was firmly and expeditiously terminated, now therefore be it

Resolved by the House of Representatives of the General Court of New Hampshire.

That Governor Walter Peterson and the State Police of the State of New Hampshire are hereby highly commended for their able, prompt, and intelligent handling of this matter, and be it further resolved

That the House hereby expressly resolves that it fully supports the Governor and State Police in the action they have taken in this matter.

The Clerk read the resolution in full.

Reps. Angus and Shirley spoke in favor of the resolution.

### PARLIAMENTARY INQUIRY

Reps. Williamson and Bednar rose on a point of parliamentary inquiry.

Rep. Bridges moved that the resolution be laid on the table until third readings.

Motion adopted by vv.

\* \* \*

On motion of Rep. Stafford the House adjourned from the early session, and the Rules of the House were so far suspended as to permit the reading of bills by title only; and HJR by caption only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

### LATE SESSION THIRD READINGS

The following bills and HJR were read a third time, passed, and sent to the Senate for concurrence:

HB 697, relating to deposits in savings banks.

HB 743, permitting the purchase of firearms in contiguous states.

HB 734, requiring repayment of counsel fees and expenses paid by state or municipality.

HB 684, relative to sick leave for classified employees.

HJR 51, providing for study of compensation for classified state employees who are assigned standby duty.

HB 617, relative to timely filing and paying of taxes.

HB 586, relative to changing the name of Round Pond in the town of Wakefield to Lake Ivanhoe.

HB 588, to authorize business corporations to indemnify directors, officers and employees under certain circumstances.

HB 683, relative to the penalty for killing dogs.

HB 720, providing for recovery of interest, and cost of collection fees in actions to collect on checks, drafts or orders issued against non-existent accounts or insufficient funds.

HB 727, relative to the transfer of real property.

HB 689, relative to insurance fees from sale of securities

### RECONSIDERATION

Rep. O'Neil, having voted with the majority, moved that the House reconsider its action whereby it passed HB 689 and spoke against the motion.

Motion lost by vv.

### THIRD READINGS CONTINUED

HB 719, relative to personal property tax liens on mobile homes.

HB 704, permitting restaurants, hotels and clubs holding on-sale permits to sell beverages on Sundays.

\* \* \*

SB 54, establishing a legislative study committee, was read a third time, passed, and sent to the Senate for concurrence in the House amendment.

SB 128, relative to time served by a prisoner upon violation of parole, was read a third time, passed and sent to the Secretary of State to be enrolled.

\* \* \*

Rep. Bridges moved that the Resolution regarding Governor Peterson, et al. be removed from the table.

Motion adopted by vv.

The Clerk read the Resolutions in full.

Rep. Raiche spoke in favor of the Resolutions.

A division vote was requested.

317 members having voted in the affirmative and none in the negative the Resolutions were adopted.

### RECONSIDERATION

Rep. Oleson, having voted with the majority, moved that the House reconsider its action whereby it passed HB 743 and spoke against the motion.

Rep. Strafford requested the title of the bill, HB 743, permitting the purchase of firearms in contiguous states.

Motion lost by vv.

On motion of Rep. Leo Dion the House adjourned at 12:52 P. M.



*Thursday, May 8, 1969*

The House met at 11:00 o'clock.

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

In nomine Patris, et Filii, et Spiritus Sancti. Amen.

Father, you have given us a great variety of ways through which we may serve one another. But in all of them, we come to know the one Lord, for you work all things in all of us. What your Spirit does in any of us, he does for the good of all. Some are wise; they are wise for all. Some have great learning; they share it with all. Others have great faith; and all may believe. Others may be able to teach, to administer, to speak well, to heal, to clean, to sing, to pray. Whatever a man can do, he should do for all, to serve his brothers, for we form but one body in your Son, Jesus. We ask, Father, that the service you have given us to do, as individuals and as a community, may be done in the Spirit, that we may never appear to have all perfections, while lacking the love without which they are nothing. Bring us to perfect maturity in your Son, Jesus. We ask this in his name. Amen.

( . . . The Book of Catholic Worship — 1966)

#### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Irene Reed led the House in the Pledge of Allegiance to the Flag.

#### LEAVES OF ABSENCE

Reps. Varrill and Goode were granted leave of absence for the day on account of important business.

#### RESOLUTION

Rep. Logan offered the following resolution:

*Resolved*, that in accordance with the list in the possession

of the clerk, House Bills numbered 839 through 853 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.

### INTRODUCTION OF BILLS

The following bills were read a first and second time, laid on the table for printing and referred as follows:

HB 839, relative to the term of members of the Belknap county recreational area commission. (Stafford of Belknap Dist. 12 — To Belknap County Delegation.)

HB 840, relative to errors in reporting room and meals taxes. (MacKenzie of Cheshire Dist. 16 — To Ways & Means.)

HB 841, relative to a finding of disability or death of municipal firemen due to heart disease, lung disease, or hypertension in workmen's compensation proceedings. (Stafford of Belknap Dist. 12 — To Labor, Human Resources & Rehabilitation.)

HB 842, relative to regulations to enable voters outside the United States to register. (Sterling of Hillsboro Dist. 2 — To Constitutional Revision.)

HB 843, to provide for regulation of rates of insurance companies insuring aircraft. (Milne of Hillsboro Dist. 27 — To Banks & Insurance.)

HB 844, legalizing the annual town meeting held in the town of Rye on March 11, 15 and 17, 1969. (RULES COMMITTEE for Greene and Hammond of Rockingham Dist. 22 — To Statutory Revision.)

HB 845, relative to the activation of housing authorities. (Tarr of Merrimack Dist. 28 — To Municipal & County Government.)

HB 846, providing for the licensing and regulation of the hearing aid industry in New Hampshire. (Murphy of Strafford Dist. 18, Richardson of Coos Dist. 11 — To Executive Departments & Administration.)

HB 847, regulating the writing, cancellation, or refusal to renew policies of property and liability insurance; and imposing powers and duties on the insurance commissioner. (Bigelow of Merrimack Dist. 3, Trowbridge of Cheshire Dist. 4, Bridges of Hillsboro Dist. 13 — To Banks & Insurance.)

HB 848, requiring that man-made pits in the earth be planed off so as to prevent a hazardous area. (Watson of Hillsboro Dist. 25, Heald of Hillsboro Dist. 10 — To Resources, Recreation & Development.)

HB 849, relative to health services in public schools and a health education program. (Raiche of Hillsboro Dist. 34 — To Education.)

HB 850, providing for compensation to councilmen in the city of Concord and absentee voting at municipal elections. (Smith of Merrimack Dist. 24, MacDonald of Merrimack Dist. 25, and Tarr of Merrimack Dist. 28 — To Concord Delegation.)

HB 851, authorizing the issuance of special dealer registration plates to mobile home dealers. (Sayer of Rockingham Dist. 7 — To Transportation.)

HB 852, relative to the hourly wages of certain officers in the city of Portsmouth. (Maynard of Rockingham Dist. 24 — To Portsmouth Delegation.)

HB 853, relative to payment of claims on aircraft accidents. (Milne of Hillsboro Dist. 27 — To Claims, Military & Veterans Affairs.)

## SENATE MESSAGE

The Senate concurs with the House of Representatives in the passage of the following entitled bill with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 66, providing for the acquisition of water rights and dam at Sewalls Falls in Concord.

#### AMENDMENT

Amend House Bill No. 66 by striking out in section 1, paragraph 481-D:2 and inserting in place thereof the following:

481-D:2 Repairs and Improvements. Said board after said acquisition may from time to time make repairs and modifications to said dam so acquired or rebuild the same so as to best serve the interest of this state; provided however, in the event a fish ladder has to be constructed, the cost shall be a charge against Fish and Game funds

Further amend the bill by striking out in Section 1, paragraph 481-D:4 and inserting in place thereof the following:

481-D:4 Sewalls Falls Dam Fund. The money received under section 1 and any other revenue received for the same purpose shall be paid to the water resources board and held in a special fund to be used exclusively for the repair and maintenance of the Sewalls Falls Dam in Concord. Expenditures from this fund may be made for the purpose hereof by the water resources board with the prior approval of the governor and council.

The Clerk read the amendment in full.

On motion of Rep. Claffin the House concurred in the Senate amendment.

#### FURTHER SENATE MESSAGE

The Senate has voted to concur with House of Representatives in its amendment to the following entitled Senate Bill:

SB 144, establishing the state's right to the air space above and below certain highways.

#### RESOLUTION

Rep. Danielchik offered the following resolution:

Be it resolved by the House of Representatives that the committee on Resources, Recreation and Development is hereby directed and authorized to hold a public hearing in the town where any body of water is located relative to which body of

water a bill is before them for action which limits in any way the use of said body of water. Said hearing to be held at a time and place as determined by the chairman. Any members of the committee attending such a hearing shall be entitled to the same mileage as state employees which shall be a charge against the legislative appropriation. The time and place of said hearing shall be posted in two public places in the town by the chairman of the committee no later than two weeks before the date of the hearing and shall be published in a paper of general circulation in said town once a week for the two weeks immediately preceding said hearing. The cost of such publication shall be a charge against the legislative appropriation.

\* \* \*

The Clerk read the resolution in full.

Referred to Resources, Recreation and Development.

## RESOLUTION

Resolution offered by Reps. Logan and Raiche.

## HOUSE RESOLUTION

Recommended by Rules Committee

*Whereas*, the office of legislative services has in its possession:

1. Twenty-three House Bills which have not been drafted;
2. Thirty which have been drafted and are now in the process of being typed;
3. Twenty-six which are out for approval by the sponsor; and
4. Twenty-two which have been drafted that are being held up by the sponsor, making a total of one hundred one; and

*Whereas*, the office of legislative services advises us that it can have all these bills in the hands of the sponsor by next week; now therefore

*Be it resolved by the House of Representatives*

That any House Bill included in this one hundred one requests, which has not been approved by the sponsor for intro-

duction by 5:00 p.m. on Thursday, May 15th, shall become null and void and may not be introduced except by permission of the Rules Committee; and be it

*Further* resolved, that after that date, no bill may be introduced in the House except by permission of the Rules Committee.

The Clerk read the resolution in full.

Resolution adopted by vv.

### RECONSIDERATION

Rep. Newell served notice that today or some subsequent day he would ask for reconsideration on SB 54, establishing a legislative study committee.

### COMMITTEE REPORTS

#### **HB 382**

taxing certain property of the state, cities and towns. Inexpedient to legislate. Rep. Hanson for Municipal and County Government.

Resolution adopted by vv.

#### **HB 642**

relative to the incorporation of the Upper Valley Planning and Development Council, Inc. was withdrawn by committee.

#### **HB 670**

relative to the holding of annual school district meetings. Ought to pass with amendment. Rep. Hanson for Municipal and County Government.

### AMENDMENT

Amend the title of the bill by striking out the same and inserting in place thereof the following:

#### AN ACT

relative to the holding of annual school district meetings  
in districts containing towns or cites with populations  
greater than forty-five hunderd.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:



1 Meetings in Towns with a Population Greater than Four Thousand Five Hundred. Amend RSA 197 by inserting after section 1-g the following new section: 197:1-h School District Meetings in Towns Over Forty-Five Hundred. Other provisions of law notwithstanding, the annual meeting of a school district containing a town or city with a population of more than four thousand five hundred according to the last federal census shall be held between the second Tuesday in March and April thirtieth, inclusive. Said meeting shall be held for the purpose of raising and appropriating money for the support of schools for the fiscal year beginning July first, next succeeding, transacting of other school business and, in those districts not electing their district officers at town meeting, electing district officers.

2 Effective Date. This act shall take effect sixty days after its passage.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

#### **HB 722**

relative to the zoning power of towns and cities. Ought to pass. Rep. Allen for Municipal and County Government.

Rep. Hanson moved that HB 722 be laid on the table.

Motion adopted by vv.

#### **HB 506**

amending the charter of the city of Nashua by raising the salary of the aldermen. Inexpedient to legislate. Rep. Helen Barker for Nashua Delegation.

Resolution adopted by vv.

#### **HB 445**

relative to dangerous sexual offenders. Inexpedient to legislate. Rep. Burleigh for Statutory Revision.

Rep. MacDonald moved that HB 445 be recommitted to committee and spoke in favor of the motion.

Motion adopted by vv.

**SB 160**

to repeal provisions regarding sale of pressed hay. Ought to pass. Rep. Burleigh for Statutory Revision.

Ordered to third reading by vv.

**HB 626**

relating to the taxation of personal property. Refer to Legislative Council. Rep. Elmer Johnson for Ways and Means.

Resolution adopted by vv.

**HB 721**

relative to the taxation of automatic and electronic data processing equipment. Inexpedient to legislate. Rep. Lawton for Ways and Means.

At the request of Rep. deBlois, Rep. Ratoff answered questions.

Resolution adopted by vv.

**HB 726**

to include certain items of machinery as personal estate liable to be taxed. Inexpedient to legislate. Rep. Storm for Ways and Means.

Resolution adopted by vv.

**SB 63**

establishing a uniform weights and measures law. Ought to pass with amendment. Rep. Ellms for Agriculture.

**AMENDMENT**

Amend (2) of the second sentence of RSA 359-A:8 as inserted by section 1 of said bill by striking out the word "full" and inserting in place thereof the word (fill) so that said phrase as amended shall read as follows:

(2) standards of net weight, measure, or count, and reasonable standards of fill for any commodity in package form.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2 Appropriation. The sum of eighteen thousand four hundred dollars is hereby appropriated for the fiscal year ending June 30, 1970 and the sum of twelve thousand, four hundred

and twenty dollars is hereby appropriated for the fiscal year ending June 30, 1971 for the employment of two permanent inspectors and for the administration of the uniform weights and measures law. The sums hereby appropriated shall be expended by the commissioner of agriculture and the governor is authorized to draw his warrants for said sums out of any money in the treasury not otherwise appropriated.

\* \* \*

Amendment adopted by vv.

Rep. Sheldon Barker offered the following proposed amendment.

#### AMENDMENT

Amend RSA 359-A:16 as inserted by section 1 of the bill by striking out in line three the word "thirty-five" and inserting in place thereof the word (seventeen) so that said section as amended shall read as follows:

359-A:16 City Sealers of Weights and Measures; Appointment. There shall be a sealer of weights and measures in each city of not less than seventeen thousand population, according to the latest United States census. Said sealer shall be appointed by the mayor, with the consent of the city council, provided, however, that no person shall be so appointed until his appointment has been approved in writing by the commissioner of agriculture and shall hold office during good behavior. The city sealer in said city shall have the same powers and duties as state inspectors have throughout the state.

\* \* \*

The Clerk read the proposed Barker amendment in full.  
Rep. Ellms spoke in favor of the proposed amendment.

(discussion ensued)

Rep. Callahan spoke against the proposed Barker amendment.

Amendment adopted by vv.

A division was requested.

## PARLIAMENTARY INQUIRY

Rep. Underwood rose on a point of parliamentary inquiry.

141 members having voted in the affirmative and 97 in the negative, there not being a quorum, a quorum count was requested.

286 members being present the amendment was adopted.  
Referred to Appropriations under the Rules.

## PARLIAMENTARY INQUIRY

Rep. Callahan rose on a point of parliamentary inquiry.

## COMMITTEE REPORTS CONTINUED

**HB 751**

making appropriations for the expenses of certain departments of the state for the year ending June 30, 1970. Ought to pass with amendment. Rep. Drake for Appropriations.

## AMENDMENT

Amend section 4 of House Bill 751 as follows:

Amend the appropriation for department of health and welfare: Division of welfare: by striking out the same and inserting in place thereof the following:

Division of welfare:

Administration:

Salary of director	\$14,220
--------------------	----------

Other personal services:	
--------------------------	--

Permanent	393,040
-----------	---------

Other	43,250
-------	--------

Current expenses	37,940
------------------	--------

Travel:

In state	8,050
----------	-------

Out of state	2,863
--------------	-------

Equipment	12,023
-----------	--------

Other expenditures:

Social security	114,668
-----------------	---------

Blue cross and insurance	18,944
--------------------------	--------

Merit system	8,068
--------------	-------

Educational leave	15,000
Advisory committees	1,000
Employees' retirement	112,138
Physical examinations	1,000
Operational costs (title XIX)	155,000

---

Total	\$937,204
-------	-----------

## Field services:

## Personal services:

Permanent†	\$1,393,853
Other	8,000

Current expenses*	202,296
-------------------	---------

## Travel:

In state	49,500
Out of state	700

Equipment	18,000
-----------	--------

## Other expenditures:

Training and education  
for sub professional  
program\*\*

---

2,000

---

Total	\$1,674,349
-------	-------------

\*Within this appropriation \$114,550 shall be for rent of district offices and shall not be transferred or used for any other purpose.

†Salary and expenses of the OASDI field agent included in this appropriation shall be reimbursed to the state by the municipalities.

\*\*This appropriation shall not be transferred or expended for any other purpose.

## Child welfare services:

## Personal services:

Permanent	\$653,954
Other	7,000

## Travel:

In state	45,000
Out of state	3,000

Other expenditures:		
Educational leave	15,000	
Institutes and conferences	500	
Special children's fund	7,100	
Specialized services	250	
Foster care	6,000	
	<hr/>	
Total	\$737,804	
Less estimated federal funds	217,999	
	<hr/>	
Net appropriation		\$519,805
Blind services:		
Personal services:		
Permanent	\$28,173	
Current expenses	1,000	
Travel:		
In state	2,300	
Out of state	350	
Other expenditures:		
Education of blind	75,000	
	<hr/>	
Total		\$106,823
Vocational rehabilitation:		
Personal services:		
Permanent	\$42,649	
Current expenses	2,260	
Travel:		
In state	3,200	
Out of state	535	
Other expenditures:		
Case services	35,000	
Business enterprises	10,000	
In service training	1,700	
Disability insurance beneficiaries	20,000	
	<hr/>	
Total	\$115,344	
Less estimated federal funds	96,115	
	<hr/>	
Net appropriation		19,229



Blind workshop:		
Personal services:		
Permanent	\$32,532	
Current expenses	7,700	
Travel:		
In state	1,000	
Out of state	100	
Equipment	500	
	<hr/>	
Total		41,832
John Nesmith fund		3,700
Catalyst project:		
Other expenditures	\$2,750	
Less estimated federal funds	2,750	
	<hr/>	
Net appropriation		0
Gear-up project:		
Personal services:		
Other	\$16,277	
Current expenses	4,304	
Travel:		
In state	125	
Out of state	350	
Other expenditures:		
Oasi, retirement and insurance	1,290	
	<hr/>	
Total	\$22,346	
Less estimated federal funds	22,346	
	<hr/>	
Net appropriation		0
Old age assistance:		
State's share	\$1,042,030	
Less estimated revenue	125,000	
	<hr/>	
Net appropriation		917,030
Towns and counties	\$1,484,906	
Less estimated revenue	\$1,484,906	
	<hr/>	

Net appropriation		0
Federal	\$3,412,689	
Less estimated revenue	3,412,689	
	<hr/>	
Net appropriation		0
Old age assistance to aliens:		
Towns and counties	\$193,350	
Less estimated revenue	242,654	
	<hr/>	
Net appropriation		—49,304
Federal	\$253,073	
Less estimated revenue	253,073	
Net appropriation		0
Aid to families with dependent children		
State's share:		
Grants	\$1,962,066	
Income disregard*	258,000	
Day care*	252,000	
Foster care*	312,000	
	<hr/>	
Total	\$2,784,066	
Less estimated revenue	140,000	
	<hr/>	
Net appropriation		2,644,066
Federal:		
Grants	\$2,806,796	
Income disregard	374,043	
Day care	756,000	
Foster care	452,331	
	<hr/>	
Total	\$4,389,170	
Less estimated revenue	4,389,170	
Net appropriation		0

\* This appropriation shall not be transferred or expended for any other purpose.

Aid to needy blind:	
State's share	\$142,978
Less estimated revenue	3,500
	<hr/>

Net appropriation		139,478
Federal	\$197,733	
Less estimated revenue	197,733	
	<hr/>	
Net appropriation		0
Aid to permanently and totally disabled:		
State's share	\$71,379	
Less estimated revenue	8,500	
	<hr/>	
Net appropriation		62,879
Towns and counties*	\$348,105	
Less estimated revenue	348,105	
	<hr/>	
Net appropriation		0
Federal	\$575,104	
Less estimated revenue	575,104	
	<hr/>	
Net appropriation		0

\*For the fiscal year ending June 30, 1970, the share which a county or town must reimburse the state for aid to the totally and permanently disabled persons for which such county or town is liable shall be thirty-five percent. Provisions of the law inconsistent with the provision hereof are hereby suspended until June 30, 1970.

Medical care and services:

Categorically needy	\$5,365,114
Medically needy	983,292

Total	\$6,348,406
Less local share	365,138
Less federal share	3,738,849

Net appropriation	2,244,419
-------------------	-----------

Total for division of welfare	\$9,261,510
Less town and county share of oasi administration	12,000
Less transfer re administration from federal grants	1,506,076

Less recoveries from past medical aid to the aged	5,000
--	-------

---

Net appropriation for division of welfare 7,738,434

Note: Other provisions of law notwithstanding, any balance remaining in state accounts at the close of the fiscal year shall lapse to unappropriated surplus of the general fund.

Further amend the appropriation for department of health and welfare: by changing the figures for "Total for department of health and welfare" as follows: 18,655,497 changed to 20,849,520.

Amend the appropriation For insurance department: Office of commissioner: Other personal services: by deleting following the word "Other" the signs \*\*; and by deleting the footnote preceded by the signs "\*\*\*".

Amend the appropriation For resources and economic development: Office of commissioner: Design, development and maintenance; by changing the figures for Personal services: "Permanent" as follows: 102,301 changed to 110,581; by changing the figures for "Total" as follows: 118,251 changed to 126,531; by changing the figures for "Net appropriation" as follows: 117,841 changed to 126,121; and by changing the figures for "Total for office of commissioner" as follows: 410,700 changed to 418,980.

Further amend the appropriation For resources and economic development: Division of parks: Self-supporting parks: by changing the figures for "Current expenses" as follows: 155,000 changed to 162,710; by changing the figures for "Snow making" as follows: 30,000 changed to 41,760; and by changing the figures for "Total" as follows: 892,913 changed to 912,383.

Further amend the appropriation For resources and economic development: Division of parks: Bonds and interest: by changing the figures for "Chapter 263, laws of 1961 Issue of 1969" as follows: 85,000 changed to 20,000; and by changing the figures for "Total bonds and interest"; 784,988 changed to 719,988.

Further amend the appropriation For resources and economic development: Division of parks: by changing the figures for "Total" as follows: 2,465,173 changed to 2,419,643; and by

changing the figures for "Net appropriation for division of parks" as follows: 365,173 changed to 319,643.

Further amend the appropriation For resources and economic development: by changing the figures for "Total for department of resources and economic development" as follows: 2,095,335 changed to 2,058,085.

Amend the appropriation For industrial school: Custodial care: by changing the figures for "Current expenses" as follows: 74,650 changed to 84,650; by changing the figures for "Total" as follows: 518,428 changed to 528,428; and by deleting the footnote preceded by the signs "\*\*\*" and inserting in place thereof the following: \*\*In this appropriation \$60,000 is for food and no part of this amount shall be transferred or expended for any other purpose.

Further amend the appropriation For industrial school: by changing the figures for "Total" as follows: 913,856 changed to 923,856; and by changing the figures for "Net appropriation for industrial school" as follows: 906,856 changed to 916,856.

Amend the appropriation For board of education: School building construction: by changing the figures for "Aid to school districts for school building construction" as follows: 3,394,976 changed to 3,468,867; and by deleting the footnote preceded by the sign "\*" and inserting in place thereof the following: \*These funds shall not be expended for any other purpose, and no transfers shall be made therefrom. Funds shall be distributed under provisions of RSA 198:15 a to e inclusive.

Further amend the appropriation For board of education: by inserting after the paragraph for "School lunch and milk programs — federal:" the following additional paragraph:

Child nutrition act:

Non-food assistance	\$5,000
School breakfast program	35,000

---

Total	\$40,000
-------	----------

Less estimated federal funds	40,000
------------------------------	--------

Net appropriation	0
-------------------	---

Further amend the appropriation For board of education: Vocational education acts: by deleting the words and figures "Reimbursement to local school districts, state institutes, teacher

education, research, construction, equipment and other expenditures as permitted by vocational education acts 860,104" and insert in place thereof the following:

Area vocational schools, apprenticeship training, reimbursement to local school districts, state institutes, teacher education, research, construction, equipment and other expenditures as permitted by vocational education acts	910,104
--	---------

Further amend the appropriation For board of education: Vocational education acts: by changing the figures for "Total" as follows: 1,040,450 changed to 1,090,450; and by changing the figures for "Net appropriation" as follows: 65,077 changed to 115,077. Further amend the appropriation For board of education: Disability determination — federal: by striking out said paragraph and inserting in place thereof the following:

Disability determinations — federal:

Personal services:	
Permanent	\$51,137
Other	2,000
Current expenses	9,889
Travel:	
In state	470
Out of state	1,420
Equipment	1,593
Other expenditures:	
Oasi, retirement and insurance	5,282
Medical consultations and examinations	50,000
Clients' travel	2,500
	<hr/>
Total	\$124,291
Less estimated federal funds	124,291
	<hr/>

Net appropriation

0

Further amend the appropriation For board of education: Elementary and secondary education act — title I: by deleting the words "State operated schools for handicapped children" and inserting in place thereof the following words: Schools for handicapped children.



Further amend the appropriation For board of education: by inserting after the paragraph "Elementary and secondary education act — title II" the following new paragraph:

Elementary and secondary education act — title III:

Personal services:

Permanent \$13,749

Current expenses 1,800

Travel:

In state 900

Out of state 350

Equipment 442

Other expenditures:

Employees' benefits 1,200

Curriculum studies and  
conferences 131,559

Support of local projects 200,000

---

Total \$350,000

Less estimated federal funds 350,000

---

Net appropriation 0

Further amend the appropriation For board of education: by deleting the paragraph "Elementary and secondary education act — title V" and inserting in place thereof the following sections:

Elementary and secondary education act — title V:

Personal services:

Permanent \$150,693

Other 4,000

Current expenses 18,700

Travel:

In state 6,900

Out of state 3,400

Equipment 2,264

Other expenditures:

Employees' benefits 12,589

Conference and workshops 4,000

---

Total \$202,546

Less estimated federal funds 202,546

---

Net appropriation 0

## Elementary and secondary education act — title VI:

## Personal services:

Permanent	\$12,989
-----------	----------

Other	5,000
-------	-------

Current expenses	3,405
------------------	-------

## Travel:

In state	900
----------	-----

Out of state	350
--------------	-----

## Other expenditures:

Employees' benefits	1,319
---------------------	-------

Aid to school districts and projects	76,037
--------------------------------------	--------

Total	\$100,000
-------	-----------

Less estimated federal funds	100,000
------------------------------	---------

---

Net appropriation	0
-------------------	---

Further amend the appropriation For board of education: by changing the figures for "Total" as follows: 11,531,875 changed to 11,655,766; and by changing the figures for "Net appropriation for board of education" as follows: 11,517,875 changed to 11,641,766.

Amend the appropriation For board of probation by deleting the "Note:" at the end of said paragraph and inserting in place thereof the following: \*This amount shall not be transferred or expended for any other purpose.

Amend the appropriation For water resources board: by changing the figures for "Stream flow gauging" as follows: 25,800 changed to 28,300; by changing the figures for "Total" as follows: 181,123 changed to 183,623; and by changing the figures for "Net appropriation for water resources board" as follows: 143,524 changed to 146,024.

Amend the appropriation For Aeronautics commission: by changing the figures for "Other personal services; Permanent" as follows: 61,163 changed to 66,632; by changing the figures for "Total" as follows: 92,821 changed to 98,290; and by changing the figures for "Total for aeronautics commission" as follows: 126,821 changed to 132,290.

Amend the appropriation For liquor commission: New liquor stores: by striking out the footnote preceded by the sign "†" and inserting in place thereof the following: †This appro-

priation shall not be transferred or expended for any other purpose than for expenses applicable to five additional stores which are hereby authorized. Reports shall be submitted monthly to the governor and council and the fiscal committee of the general court relative to expenditures from this appropriation.

Amend the appropriation For water pollution commission: by changing the figures for "State aid grants" as follows: 1,500,000 changed to 1,182,638; and by changing the figures for "Total for water pollution commission" as follows: 1,968,112 changed to 1,650,750.

Amend the appropriation For public works and highways: State funds: by changing the figures for "Town road bridge" as follows: 250,000 changed to 300,000; by deleting the words and figures "Federal land funds" 100,000; and by changing the figures for "Total" as follows: 3,975,000 changed to 3,925,000. highways: by changing the figures for "Total for public works

Further amend the appropriation For public works and highways: by changing the figures for "Total for public works and highways" as follows: 71,802,623 changed to 71,752,623; by changing the figures for "Less estimated revenue and balance: Available from estimated lapse and balance" as follows: 898,480 changed to 848,480; and by changing the figures for "Total" as follows: 71,802,623 changed to 71,752,623.

Further amend section 4 by changing the figures for "Total for executive branch" as follows: 63,668,023 changed to 65,649,294.

Further amend section 4 by changing the figures for "Total net appropriation for the fiscal year ending June 30, 1970, as included in sections 2, 3 and 4" as follows: 64,825,207 changed to 66,806,478.

Rep. Eaton spoke in favor of the budget bill as amended.

(discussion ensued)

Rep. Drake explained the legislative process of the budget.

(Rep. O'Neil in the Chair)

Rep. Cobleigh addressed the House as follows:

## STATEMENT OF HOUSE SPEAKER MARSHALL COBLEIGH ON BUDGET AND TAXATION

I take the floor today against the advice of most of my astute political advisors.

Having read the many polls of our members and of the people we represent, I know full well there is no decisive public support for the action I must take.

I must, however, in good conscience take this action; because I feel it is the responsible position.

I have an obligation to uphold my Party's Platform.

I have an obligation to support my Governor.

I have an obligation to support the hard-working Appropriations Committee I appointed.

But I have a more compelling obligation to do what is right for the people of New Hampshire.

In keeping with the Republican Party Platform to resist new taxes, the Governor submitted a hold-the-line budget. With no pre-inauguration staff (which I intend to remedy) the Governor submitted a hold-the-line balanced budget.

The hardest working Appropriations Committee in our history examined this budget. They made additional recommendations following the hold-the-line guidelines.

Yet, as you have been informed today by Arthur Darke, the budget has an operating deficit of over \$9 million without the new taxes proposed by the Governor and the Speaker.

On top of this \$9 million deficit, we must grant pay raises to our state employees totalling at least \$5.4 million.

We must bring the University's budget up at least \$2.4 million.

We must have at least an additional \$1 million for Legislative Specials.

We must, with a budget this tight, have a surplus of at least \$1 million.

This means WE MUST raise approximately \$17 million in additional taxes!

The Appropriations Committee has told you this \$17 million figure represents a *workable*, but very *tight* budget. I salute them for following the Governor's hold-the-line concept.

Yet, I submit that despite the Governor's and the Appropriations Committee's high motives, there are certain areas of their respective budgets where we cannot hold the line.

While I recommend adoption of the budget bills currently before you, I will introduce a Supplemental Budget Resolution allocation of an additional \$2.6 million over and above this \$17 million deficit to meet the vital needs of our people — needs that can no longer be delayed or avoided.

THE ITEMS I CONSIDER MOST VITAL ARE AS FOLLOWS:

	1970	1971	Total
Emotionally and Physically Handicapped Kids	\$150,000	\$500,000	\$650,000
Retarded Kids	70,000	70,000	140,000
Laconia State School	40,000	65,000	105,000
Community Mental Health Clinics	300,000	450,000	750,000
Vocational-Technical Schools, particularly			
Berlin	100,000	100,000	200,000
Adult Vocational Rehabilitation	75,000	80,000	155,000
Foundation Aid, 1967 Level	133,000	428,000	561,000
Retirement System Investment Counsel	26,000	29,000	55,000
	<hr/>	<hr/>	<hr/>
	894,000	1,722,000	2,616,000
University of New Hampshire*	974,133	1,426,787	2,400,920
	<hr/>	<hr/>	<hr/>
Totals	1,868,133	3,148,787	5,016,920

\*Tuition for out-of-state students shall be increased to reflect actual cost of per capita operating costs including overhead, bond retirement and instructional expenses.

Let me cite chapter and verse.

These are problems which arise from the budget recommendations you are considering today.

There is a waiting list of 200 children at Laconia State School. A father who makes \$95 per week called me. His family had two normal children and the third was born 100% mentally retarded. This shock sent the mother to the State Hospital. I had to tell that father that it would be two years before his child could be admitted to Laconia State School. I could not tell him what to do during that two year waiting period. This waiting period must be reduced.

*Is This the Line You Want to Hold????*

Let me give you another case:

A neighbor whom I've never met called and said his 12 year old son had been discharged from the New Hampshire Hospital and needed further help at the Spaulding Youth Center. He makes \$110. per week. He could not afford the tuition. To care for his child he sold his home in Nashua and moved to Massachusetts where state assistance was available to train his son to be a productive member of society.

*Is This the Line You Want to Hold????*

I have had to tell other families that the father cannot have open heart surgery because of lack of state funds.

*Is This the Line You Want to Hold????*

Last week I told a mother her physically handicapped son could not get state funds to help him in this crucial year of his therapy because of lack of state funds.

CAN WE IN GOOD CONSCIENCE ASK OURSELVES  
TO HOLD THESE LINES????

I take this action today, not only as your Speaker, but as a fellow Representative from Nashua.

On opening day I stated my credo:

I am only one

But I am one

I cannot do everything

But I can do something

And what I can do

By the Grace of God

I will do

And thus I take this action because I believe whatever happens to each of us in this State, does indeed make a great deal of difference to all of us. Therefore, I will submit on behalf of all of us a supplemental budget as outlined above.

This is a difficult decision for each of us to make. I told you on opening day that I regarded myself as a fiscal conservative.

I have opposed broad based taxes on numerous occasions in



the last years in the halls of this House, before the Con-Con, and at my Party's Conventions.

I have tried to follow the dictates of this year's convention.

I have resisted new taxes as best I know how.

But I find today I cannot resist the vital needs of the people of my State.

I shall next week support House Bill 405 so that together we can meet the real needs of our people.

If this be political suicide; so be it!

I believe we in good conscience can no longer hold the line and take away the opportunity to lead normal lives for so many of the people of the State of New Hampshire.

I urge you to examine the fiscal facts as I have examined them and do what you think is right for all of the people of New Hampshire.

May 7, 1969

\* \* \*

Rep. Bowles moved that the remarks made by Speaker Cobleigh be printed in the Journal and spoke in favor of the motion.

Rep. Angus spoke in favor of the motion.

Motion adopted by vv.

Rep. Trowbridge spoke in favor of the Appropriation Committees' amendments as submitted by Rep. Drake.

The question now being on the adoption of the committee amendment.

Rep. Drake moved that the reading of the amendment be dispensed with.

Motion adopted by vv.

Rep. Drake explained the amendment.

(discussion ensued)

(Speaker in the Chair)

Rep. Belcourt spoke in favor of the bill as amended.

Amendment adopted by vv.

Rep. Elmer Johnson offered the following proposed amendment.

### AMENDMENT

Amend section 4 of the bill by inserting in the appropriation for Department of Health and Welfare: by inserting after the appropriation for Air pollution: the following:

Radiation Surveillance:

Personal services:

Permanent	\$6,600
-----------	---------

Travel:

Instate	800
---------	-----

Equipment	5,475
-----------	-------

Total	<hr/> \$12,875
-------	----------------

\* \* \*

The Clerk read the amendment in full.

Rep. Elmer Johnson spoke in favor of the proposed amendment.

(discussion ensued)

At the request of Rep. Cleon Heald, Rep. Prescott answered questions.

Rep. Cleon Heald spoke in favor of the Johnson proposed amendment.

(discussion ensued)

Rep. O'Neil spoke in favor of the proposed Johnson amendment.

Rep. Prescott further explained the proposed Johnson amendment.

(discussion ensued)

At the request of Rep. Shirley, Rep. Elmer Johnson answered questions.

Rep. Sheldon Barker spoke in favor of the proposed Johnson amendment.

Rep. Elmer Johnson spoke a second time on his proposed amendment.

(discussion ensued)

Rep. Drake spoke against the proposed Johnson amendment.

(discussion ensued)

Reps. Stafford and Trowbridge spoke in favor of the proposed Johnson amendment.

Johnson amendment adopted by vv.

## RECESS

## AFTER RECESS

Rep. Bowles offered the following proposed amendment.

## AMENDMENT

Amend section 4 of the bill in the appropriation for Department of Health and Welfare: by striking out the appropriation for Air pollution: and inserting in place thereof the following:

### Air pollution:

#### Personal services:

Permanent	\$28,745
-----------	----------

Other	5,000
-------	-------

Current expenses	5,303
------------------	-------

#### Travel:

In state	4,500
----------	-------

Out of state	500
--------------	-----

#### Other expenditures:

Equipment	10,000
-----------	--------

Training	340
----------	-----

Total	\$49,388
-------	----------

Less estimated federal funds	32,000
------------------------------	--------

Net appropriation	\$17,388
-------------------	----------

The Clerk read the amendment in full.

Rep. Bowles spoke in favor of his proposed amendment.

Rep. Drake spoke against the proposed Bowles amendment.

(discussion ensued)

Rep. Bowles withdrew his proposed amendment.

Rep. Maynard offered the following proposed amendment.

### AMENDMENT

Amend section 4 of the bill by striking out the appropriation for New Hampshire state port authority: and inserting in place thereof the following:

For New Hampshire state port authority:

Personal services:

Permanent	\$16,800
-----------	----------

Other*	4,000†
--------	--------

Current expenses**	9,000†
--------------------	--------

Travel:

In state	1,500
----------	-------

Out of state	1,000
--------------	-------

Equipment

Other expenditures:

Reimbursement of harbor masters	9,500†
---------------------------------	--------

Total for New Hampshire state port authority	
---	--

\$41,800
----------

\* \* \*

The Clerk read the amendment in full.

Rep. Maynard spoke in favor of his proposed amendment.

(discussion ensued)

Rep. Saunders spoke against the proposed Maynard amendment.

Rep. Bowles spoke in favor of the proposed Maynard amendment.

Rep. Maynard withdrew his proposed amendment.

Rep. Williamson offered the following proposed amendment.

## AMENDMENT

Amend section 4 of the bill in the appropriation for resources and economic development: Division of parks: Self-supporting parks: by striking out the line reading "Equipment 35,000" and inserting in place thereof the following:

Equipment	50,000
-----------	--------

\* \* \*

The Clerk read the amendment in full.

Rep. Williamson spoke in favor of the proposed Williamson amendment.

(discussion ensued)

Rep. Drake spoke against the proposed Williamson amendment.

(discussion ensued)

Proposed Williamson amendment lost by vv.

Rep. Martin offered the following proposed amendment.

## AMENDMENT

Amend section 4 of the bill in the appropriation for Executive Branch: State technical services: by striking out the line which read "Other expenditures 14,535" and inserting in place thereof the following:

Other expenditures†	25,000
---------------------	--------

\* \* \*

The Clerk read the amendment in full.

Rep. Martin spoke in favor of his proposed amendment.

(Rep. Trowbridge in the Chair)

Rep. Drake spoke against the proposed Martin amendment.

(discussion ensued)

Proposed Martin amendment lost by vv.

Rep. MacDonald offered the following proposed amendment.

## AMENDMENT

Amend section 4 of the bill in the appropriation for health and welfare: New Hampshire hospital: Professional care and treatment: Personal services: by striking out the line reading "Unclassified \$297,631" and inserting in place thereof the following:

Unclassified	\$342,931
--------------	-----------

Amend section 4 of the bill under the appropriation for health and welfare: New Hampshire hospital: Professional care and treatment: by striking out the following "Note 1: 3 senior psychiatrists positions have been eliminated from unclassified personal services as of July 1, 1969."

\* \* \*

The Clerk read the amendment in full.

Rep. MacDonald spoke in favor of his proposed amendment.

(Speaker in the Chair)

Rep. Drake spoke against the proposed MacDonald amendment.

(discussion ensued)

Reps. Tarr, Roma Spaulding and Bernard spoke in favor of the proposed MacDonald amendment.

At the request of Rep. Mackintosh, Rep. Drake answered questions.

Proposed MacDonald amendment lost by vv.

At the request of Rep. Clement, Rep. Drake answered questions.

Rep. Newell spoke in favor of the bill and commended the Appropriations committee on an excellent job.

(Rep. O'Neil in the Chair)

At the request of Rep. Newell, Rep. Cobleigh answered questions on the Legislative Branch of the budget.

(discussion ensued)



(Speaker in the Chair)

The Speaker advised the House that questions from the floor on each department would be in order.

Rep. MacDonald spoke on the budget in general and particularly the department of Health and Welfare.

At the request of Rep. Newell, Rep. Belcourt answered questions regarding the Special Plate Fund in the Department of Safety.

At the request of Rep. Newell, Rep. Drake answered questions regarding the Secretary of State's Office.

At the request of Rep. Trowbridge, Rep. George Roberts answered questions regarding Centralized Automated Data Processing.

At the request of Reps. Bigelow and Brummer, Rep. Ferguson answered questions regarding the Bank Commissioner's budget.

At the request of Rep. Bednar, Rep. Eaton answered questions on the budget in general.

At the request of Rep. Raiche, Rep. George Roberts answered questions regarding the Labor Department's budget.

At the request of Rep. Trowbridge and Raiche, Rep. Weeks answered questions regarding the Education Department budget.

At the request of Rep. Collishaw, Rep. Casassa answered questions regarding the Liquor Commission budget.

At the request of Rep. Bednar, the Speaker answered questions regarding the budget.

Rep. Clement spoke on the budget as a whole and particularly the Liquor Commission budget.

HB 751 was ordered to third reading by vv.

HB 752, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1971. Ought to pass with amendment. Rep. Drake for Appropriations.

## AMENDMENT

Amend section 4 of House Bill 752 as follows:

Amend the appropriation For department of health and welfare: Division of welfare: by striking out the same and inserting in place thereof the following:

## Division of Welfare:

## Administration:

Salary of director	\$ 14,220
Other personal services:	
Permanent	404,370
Other	43,250
Current expenses	35,780
Travel:	
In state	8,050
Out of state	2,863
Equipment	707
Other expenditures:	
Social security	134,918
Blue cross and insurance	21,645
Merit system	8,054
Educational leave	15,000
Advisory committees	1,000
Employees' retirement	126,895
Physical examinations	1,000
Operational costs	
(Title XIX)	170,000

Total

\$987,752

## Field services:

## Personal services:

Permanent†	\$1,510,888
Other	8,000
Current expenses*	231,503
Travel:	
In state	58,500
Out of state	700
Equipment	11,000

## Other expenditures:

Training and education  
for sub professional  
program\*\*

2,000

Total

1,822,591

\*Within this appropriation \$140,900 shall be for rent of district offices and shall not be transferred or used for any other purpose.

†Salary and expenses of the OASDI field agent included in this appropriation shall be reimbursed to the state by the municipalities.

\*\*This appropriation shall not be transferred or expended for any other purpose.

## Child welfare services:

## Personal services:

Permanent

\$679,860

Other

7,000

## Travel:

In state

45,000

Out of state

3,000

## Other expenditures:

Educational leave

15,000

Institutes and conferences

500

Special children's fund

7,100

Specialized services

250

Foster care

6,000

Total

\$763,710

Less estimated

federal funds

217,999

Net appropriation

545,711

## Blind services:

## Personal services:

Permanent

\$28,541

Current expenses

1,000

## Travel:

In state

2,300

Out of state

350

Other expenditures:		
Education of blind	80,000	
	<hr/>	
Total		112,191
Vocational rehabilitation:		
Personal services:		
Permanent	\$ 43,561	
Current expenses	2,260	
Travel:		
In state	3,200	
Out of state	535	
Other expenditures:		
Case services	35,000	
Business enterprises	10,000	
In service training	1,700	
Disability insurance beneficiaries	20,000	
	<hr/>	
Total	\$116,256	
Less estimated federal funds	96,845	
	<hr/>	
Net appropriation		19,411
Blind workshop:		
Personal services:		
Permanent	\$33,155	
Current expenses	7,700	
Travel:		
In state	1,000	
Out of state	100	
Equipment	500	
	<hr/>	
Total		42,455
John Nesmith fund		3,700
Old age assistance:		
State's share	\$1,099,246	
Less estimated revenue	125,000	
	<hr/>	
Net appropriation		974,246
Towns and counties	\$1,576,258	

Less estimated revenue	\$1,576,258	
Net appropriation		0
Federal	\$3,629,530	
Less estimated revenue	3,629,530	
Net appropriation		0
Old age assistance to aliens:		
Town and counties	\$192,107	
Less estimated revenue	243,444	
Net appropriation		—51,337
Federal	\$251,700	
Less estimated revenue	251,700	
Net appropriation		0
Aid to families with dependent children:		
State's share:		
Grants	\$2,464,664	
Income disregard*	359,000	
Day care*	350,000	
Foster care*	325,000	
Total	3,498,664	
Less estimated revenue	145,000	
Net appropriation		3,353,664
Federal:		
Grants	\$3,530,133	
Income disregard	520,471	
Day care	1,050,000	
Foster care	471,178	
Total	5,571,782	
Less estimated revenue	5,571,782	
Net appropriation		0

\*This appropriation shall not be transferred or expended for any other purpose.

Aid to needy blind:

State's share	\$151,532
---------------	-----------

Less estimated revenue	3,500	
Net appropriation		148,032
Federal	\$210,143	
Less estimated revenue	210,143	
Net appropriation		0
Aid to permanently and totally disabled:		
State's share	\$81,687	
Less estimated revenue	9,000	
Net appropriation		72,687
Towns and counties*	\$401,773	
Less estimated revenue	401,773	
Net appropriation		0
Federal	\$664,464	
Less estimated revenue	664,464	
Net appropriation		0

\*For the fiscal year ending June 30, 1971, the share which a county or town must reimburse the state for aid to the totally and permanently disabled persons for which such county or town is liable shall be thirty-five percent. Provisions of the law inconsistent with the provisions hereof are hereby suspended until June 30, 1971.

Medical care and services:

Categorically needy	\$6,471,476	
Medically needy	1,074,944	
Total	\$7,546,420	
Less local share	374,403	
Less federal share	4,423,964	
Net appropriation	2,748,053	
Total for division of welfare	\$10,779,156	
Less town and county share of oasi administration	12,000	
Less transfer re administration from federal grants	1,617,441	



Less recoveries from past  
medical aid to the aged                      5,000

---

Net appropriation for division of welfare    9,144,715

Note: Other provisions of law notwithstanding, any balance remaining in state accounts at the close of the fiscal year shall lapse to unappropriated surplus of the general fund.

Further amend the appropriation For department of health and welfare: by changing the figures for "Total for department of health and welfare" as follows: 19,219,963 changed to 22,418,563.

Amend the appropriation For insurance department: Office of Commissioner: Other personal services: by deleting following the word "Other" the signs \*\*; and by deleting the footnote preceded by the signs "\*\*\*".

Amend the appropriation For resources and economic development: Office of commissioner: Design, development and maintenance by changing the figures for "Personal services: "Permanent" as follows: 102,834 changed to 111,614; by changing the figures for "Total" as follows: 118,894 changed to 127,674; by changing the figures for "Net appropriation" as follows: 118,484 changed to 127,264; and by changing the figures for "Total for office of commissioner" as follows: 426,249 changed to 435,029.

Further amend the appropriation For resources and economic development: Division of parks: Self-supporting parks: by changing the figures for "Current expenses" as follows: 155,000 changed to 162,710; by changing the figures for "Snow making" as follows: 30,000 changed to 41,760; and by changing the figures for "Total" as follows: 916,484 changed to 935,954.

Further amend the appropriation For resources and economic development: Division of parks: Bonds and interest: by changing the figures for "Chapter 263, laws of 1961 Issue of 1969" as follows: 80,000 changed to 89,000; and by changing the figures for "Total bonds and interest" as follows: 765,044 changed to 774,044.

Further amend the appropriation For resources and economic development: Division of parks: by changing the figures for "Total" as follows: 2,493,763 changed to 2,522,233; and by

changing the figures for "Net appropriation for division of parks as follows: 393,763 changed to 422,233.

Further amend the appropriation For resources and economic development: by changing the figures for "Total for department of resources and economic development" as follows: 2,145,260 changed to 2,182,510.

Amend the appropriation For industrial school: Custodial care: by changing the figures for "Current expenses" as follows: 75,650 changed to 85,650; by changing the figures for "Total" as follows: 521,682 changed to 531,682; and by deleting the footnote preceded by the signs "\*\*\*" and inserting in place thereof the following: \*\*In this appropriation \$61,000 is for food and no part of this amount shall be transferred or expended for any other purpose.

Further amend the appropriation For industrial school by changing the figures for "Totals" as follows: 873,712 changed to 883,712; and by changing the figures for "Net appropriation for industrial school" as follows: 866,712 changed to 876,712.

Amend the appropriation For board of education: School building construction: by changing the figures for "Aid to school districts for school building construction" as follows: 3,588,059 changed to 3,718,175; and by deleting the footnote preceded by the sign "\*" and inserting in place thereof the following: \*These funds shall not be expended for any other purpose, and no transfer shall be made therefrom. Funds shall be distributed under provisions of RSA 198:15a to e inclusive.

Further amend the appropriation For board of education: by inserting after the paragraph for "School lunch and milk programs — federal:" the following additional paragraph:

Child nutrition act:

Non-food assistance	\$5,000
School breakfast program	35,000

Total	\$40,000
Less estimated federal funds	40,000

Net appropriation

0

Further amend the appropriation For board of education: Vocational education acts: by deleting the words and figures

“Reimbursements to local school districts, state institutes, teacher education, research, construction, equipment and other expenditures as permitted by vocational education acts. 859,285” and inserting in place thereof the following: Area vocational schools, apprenticeship training, reimbursements to local school districts, state institutes, teacher education, research, construction, equipment and other expenditures as permitted by vocational education acts. 909,285; by changing the figures for “Total” as follows: 1,040,871 changed to 1,090,871; and by changing the figures for “Net appropriation” as follows: 65,498 changed to 115,498.

Further amend the appropriation For board of education: Disability determination-federal: by striking out said paragraph and inserting in place thereof the following:

Disability determinations — federal:

Personal services:

Permanent	58,651
-----------	--------

Other	2,000
-------	-------

Current expenses	10,056
------------------	--------

Equipment	760
-----------	-----

Travel:

In state	500
----------	-----

Out of state	1,550
--------------	-------

Other expenditures:

Oasi, retirement and insurance	5,902
--------------------------------	-------

Medical consultations and examinations	55,000
--	--------

Clients' travel	2,900
-----------------	-------

---

Total	137,319
-------	---------

Less estimated federal funds	137,319
------------------------------	---------

---

Net appropriation

0

Further amend the appropriation For board of education: Elementary and secondary education act — title I: by deleting the words “State operated schools for handicapped children” and inserting in place thereof the following words: Schools for handicapped children.

Further amend the appropriation For board of education: by inserting after the paragraph “Elementary and secondary education act — title II” the following new paragraph:

## Elementary and secondary education act — title III

## Personal services:

Permanent	\$14,503
-----------	----------

Current expenses	1,800
------------------	-------

## Travel:

In state	900
----------	-----

Out of state	350
--------------	-----

Equipment	675
-----------	-----

## Other expenditures:

Employees' benefits	1,300
---------------------	-------

Curriculum studies and conferences	130,472
------------------------------------	---------

Support of local projects	200,000
---------------------------	---------

Total	\$350,000
-------	-----------

Less estimated federal funds	350,000
------------------------------	---------

---

Net appropriation	0
-------------------	---

Further amend the appropriation For board of education: by deleting the paragraph "Elementary and secondary education act — title V:" and inserting in place thereof the following sections:

## Elementary and secondary education act — title V:

## Personal services:

Permanent	152,561
-----------	---------

Other	4,000
-------	-------

Current expenses	18,700
------------------	--------

## Travel:

In state	6,900
----------	-------

Out of state	3,400
--------------	-------

Equipment	500
-----------	-----

## Other expenditures:

Employees' benefits	13,261
---------------------	--------

Conference and workshops	4,000
--------------------------	-------

---

Total	203,322
-------	---------

Less estimated federal funds	203,322
------------------------------	---------

---

Net appropriation	0
-------------------	---

## Elementary and secondary education act — title VI:

## Personal services:

Permanent	\$13,708
-----------	----------

Other	5,000
-------	-------

Current expenses	3,405
------------------	-------

## Travel:

In state	900
----------	-----

Out of state	350
--------------	-----

## Other expenditures:

Employees' benefits	1,399
---------------------	-------

Aid to school districts and projects	75,238
--------------------------------------	--------

Total	\$100,000
-------	-----------

Less estimated federal funds	100,000
------------------------------	---------

Net appropriation	0
-------------------	---

Further amend the appropriation For Board of education: by changing the figures for "Total" as follows: 12,472,588 changed to 12,652,704; and by changing the figures for "Net appropriation for board of education" as follows: 12,458,588 changed to 12,638,704.

Amend the appropriation For water resources board: by changing the figures for "Stream flow gauging" as follows: 25,800 changed to 28,300; by changing the figures for "Total" as follows: 184,713 changed to 187,213; and by changing the figures for "Net appropriation for water resources board" as follows: 146,895 changed to 149,395.

Amend the appropriation For aeronautics commission: by changing the figures for "Other personal services: Permanent" as follows: 62,644 changed to 68,438; by changing the figures for "Total" as follows: 90,106 changed to 95,900; and by changing the figures for "Total for aeronautics commission" as follows: 124,606 changed to 130,400.

Amend the appropriation For liquor commission: New liquor stores: by striking out the footnote preceded by the sign "†" and inserting in place thereof the following: †This appropriation shall not be transferred or expended for any other purpose than for expenses applicable to the five additional stores which were authorized in fiscal 1970. Reports shall be submitted

monthly to the governor and council and the fiscal committee of the general court relative to expenditures from this appropriation.

Amend the appropriation For water pollution commission: by changing the figures for "State aid grants" as follows: 1,500,000 changed to 1,717,362; and by changing the figures for "Total for water pollution commission" as follows: 1,975,442 changed to 2,192,804.

Amend the appropriation For public works and highways: State funds: by changing the figures for "Town road bridge" as follows: 250,000 changed to 300,000; and by changing the figures for "Total" as follows: 3,875,000 changed to 3,925,000.

Further amend the appropriation For public works and highways: by changing the figures for "Total for public works and highways" as follows: 73,603,749 changed to 73,653,749; by changing the figures for "Available from estimated lapses and balances" as follows: 359,606 changed to 409,606; and by changing the figures for "Total" as follows: 73,603,749 changed to 73,653,749.

Further amend the section by changing the figures for "Total for executive branch" as follows: 66,084,665 changed to 69,736,287.

Further amend section 4 by changing the figures for "Total net appropriation for the fiscal year ending June 30, 1971 as included in sections 2, 3 and 4" as follows: 68,030,956 changed to 71,682,578.

Appropriation committee amendment adopted by vv.

Rep. Elmer Johnson offered the following proposed amendment.

#### AMENDMENT

Amend section 4 of the bill by inserting in the appropriation for Department of Health and Welfare: by inserting after the appropriation for Air Pollution: the following:

Radiation Surveillance:

Personal services:

Permanent

\$6,922



Travel	
Instate	800
Equipment	8,600
	<hr/>
Total	\$16,322

\*   \*   \*

Elmer Johnson amendment adopted by vv.

Rep. Newell offered the following proposed amendment.

#### AMENDMENT

Amend section 2 of the bill in the appropriation for General Court by striking out the footnote reading "†Includes travel and expenses authorized by RSA 14-A:3 (Supp.)" and inserting in place thereof the following:

†In addition to travel allowed for attending sessions of the general court, this sum shall include payments as authorized by RSA 14-A:3 except that after a member fails of nomination in a primary election or fails of election or shall have not filed for reelection to his office, no expenses shall be allowed him for out of state travel.

Rep. Newell spoke in favor of his proposed amendment.

Reps. Logan and Belcourt spoke in favor of the proposed amendment.

Newell amendment adopted by vv.

Rep. Brummer offered the following proposed amendment.

#### AMENDMENT

Amend section 4 of House Bill 752 as follows:

Amend the appropriation For liquor commission: New liquor stores: by striking out said paragraph and inserting in place thereof the following:

New liquor stores:

    Personal services:

        Permanent

\$127,239

    Current expenses

78,195

    Equipment

29,580

Other expenditures:

Retirement and oasi

13,487

Total†

248,501

†This appropriation shall not be transferred or expended for any other purpose than for expenses applicable to the five additional stores which were authorized in fiscal 1970 and the four additional stores hereby authorized for fiscal 1971. Reports shall be submitted monthly to the governor and council and the fiscal committee of the general court relative to expenditures from this appropriation.

Further amend the appropriation For liquor commission: by changing the figures for "Total for liquor commission" as follows: 3,682,117 changed to 3,784,857.

Further amend section 4 by changing the totals at the end of said section to reflect the above increase in appropriation.

The Clerk read the proposed amendment in full.

Rep. Brummer spoke in favor of his proposed amendment.

(discussion ensued)

Rep. deBlois spoke in favor of the proposed Brummer amendment.

(discussion ensued)

Rep. Milburn Roberts spoke against the proposed Brummer amendment.

Reps. Buckman and Raiche spoke in favor of the proposed Brummer amendment.

Rep. Casassa spoke against the proposed Brummer amendment.

At the request of Rep. Raiche, Rep. Casassa answered questions.

(discussion ensued)

At the request of Rep. Morrill, Rep. Milburn Roberts answered questions.

Rep. Clement spoke against the proposed Brummer amendment.

Rep. Lambert moved the previous question and it was sufficiently seconded.

The question now being on the adoption of the proposed Brummer amendment.

Brummer amendment lost by vv.

A division was requested.

154 members having voted in the affirmative and 166 in the negative, the Brummer amendment lost.

Rep. Bushey requested a roll call seconded by Rep. Brummer.

Rep. Bushey subsequently withdrew his request.

HB 752 ordered to third reading by vv.

#### SENATE MESSAGE, INTRODUCTION OF SENATE BILLS AND REFERRAL

The Senate has passed the following entitled bills in the passage of which it asks the concurrence of the House of Representatives:

SB 64, relative to delegates to the national convention.  
Statutory Revision

SB 188, relative to investment by domestic insurance companies. Banks & Insurance

SB 189, relative to conflicts of interest of probate judges.  
Judiciary

SB 213, establishing a flat exemption of a certain sum of money due for taxes by certain elderly persons. Ways & Means

SB 176, relative to the powers of the insurance commissioner. Banks & Insurance

\* \* \*

On motion of Rep. O'Neil the remainder of the calendar was made a special order for 11:01 Tuesday next.

On motion of Rep. O'Neil the House adjourned from the early session and the Rules of the House were so far suspended as to permit the reading of bills by title only, and that when the

House adjourns today it be to meet next Tuesday at 11:00 o'clock.

### LATE SESSION THIRD READING

The following bills were read a third time, passed, and sent to the Senate for concurrence.

HB 751, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1970.

### RECONSIDERATION

Rep. Drake, having voted with the majority, moved that the House reconsider its action whereby it passed HB 751 and spoke against the motion.

Motion lost by vv.

### THIRD READINGS CONTINUED

HB 752, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1971, was read a third time, passed, and sent to the Senate for concurrence.

### RECONSIDERATION

Rep. Drake, having voted with the majority, moved that the House reconsider its action whereby it passed HB 752 and spoke against the motion.

Motion lost by vv.

### THIRD READINGS CONTINUED

HB 670, relative to the holding of annual school district meetings in districts containing towns or cities with population greater than forty-five hundred, was read a third time, passed, and sent to the Senate for concurrence.

SB 160, to repeal provisions regarding sale of pressed hay, was read a third time, passed, and sent to the Secretary of State to be enrolled.

\* \* \*

On motion of Rep. Eaton the House adjourned at 5:49 p.m.

*Tuesday, May 13, 1969*

The House met at 11:00 o'clock.

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

O God, who art both a loving and a merciful Father; with all the truth of our minds, the compassion of our hearts, and the high ideals which motivate our wills, we enter upon this new day which Thou hast made for us. Sent, as we are, to this place of noble purpose and having numerous, but challenging, responsibilities; teach us to be patient in the exercise of our legislative duties and decisive in our legislative action. May our "Granite State" prosper by our knowledge and wisdom, our courage and conviction, and our willingness to work for a world of reason and understanding. Pledged to protect the rights of our citizens, empowered to improve our society, and endowed with freedom; be Thou our inspiration and our strength as we strive for unity and work for peace. Amen.

## PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Coggeshall led the House in the Pledge of Allegiance to the Flag.

## LEAVES OF ABSENCE

Rep. Nyberg was granted leave of absence for the day on account of illness.

Rep. Rich was granted leave of absence for the day on account of illness in the family.

Rep. Dawson was granted leave of absence for the day to attend a funeral.

Rep. Stuart Allan was granted indefinite leave of absence on account of illness.

Rep. Maglaras was granted leave of absence for the week on account of important business.

## RESOLUTION

Rep. Logan offered the following resolution:

*Resolved*, that in accordance with the list in the possession of the clerk, House Bills numbered 854 through 878 and House Joint Resolution numbered 69 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.

### INTRODUCTION OF BILLS

The following bills and joint resolution were read a first and second time, laid on the table for printing and referred as follows:

HB 854, relative to defining the approach channel to Rye Harbor. (Greene of Rockingham Dist. 22 — To Public Works.)

HB 855, creating the Jaffrey-Rindge school supervisory union. (Cournoyer of Cheshire Dist. 6 — To Education.)

HB 856, to require interest payments on tax escrow deposits. (Bednar of Hillsboro Dist. 23 — To Banks & Insurance.)

HB 857, to clarify the laws relating to political contributions and advertising. (Bednar of Hillsboro Dist. 23 — To Judiciary.)

HB 858, providing for an assistant insurance commissioner. (Bigelow of Merrimack Dist. 3 — To Banks & Insurance.)

HB 859, to establish a commission to revise the ward boundaries of the city of Dover. (Murphy of Strafford Dist. 18 — To Dover Delegation.)

HB 860, relative to the mayor of the city of Dover and establishing the office of deputy mayor. (Murphy of Strafford Dist. 18 — To Dover Delegation.)

HB 861, relative to time of election of the Claremont school district. (D'Amante of Sullivan Dist. 5 — To Claremont Delegation.)

HB 862, allowing police officer Deus Levesque of Rochester to make a lump sum payment into the New Hampshire retirement system to gain retirement benefits. (RULES COMMIT-



TEE for Rep. Preston of Strafford Dist. 14 — To Claims, Military & Veterans Affairs.)

HB 863, providing that persons from whom certain property was taken by eminent domain shall have an opportunity to repurchase such property. (Lockhart of Rockingham Dist. 22, Read of Rockingham Dist. 5 — To Public Works.)

HB 864, adopting the uniform trustees' powers act. (Martin of Belknap Dist. 8 — To Judiciary.)

HB 865, legalizing the annual town meeting of the town of North Hampton held March 11, 1969. (RULES COMMITTEE for Rep. Leavitt of Rockingham Dist. 21 — To Statutory Revision.)

HB 866, relative to conflicts of interest in municipalities. (Splaine of Rockingham Dist. 28, Levesque of Strafford Dist. 13 — To Municipal & County Government.)

HB 867, authorizing certain nonresidents to obtain a license to operate a motor vehicle. (Radway of Grafton Dist. 9 — To Transportation.)

HB 868, changing the name of the College of Advanced Science to Canaan College. (Johnson of Grafton Dist. 9, Logan of Sullivan Dist. 1 — To Education.)

HB 869, relative to picking up lobster pots. (Greene of Rockingham Dist. 22 — To Fish & Game.)

HB 870, relative to speed limits on public waters. (Maynard of Rockingham Dist. 24 — To Resources, Recreation & Development.)

HB 871, relative to the vocational-technical institutes, area vocational centers, and removal of school district employees. (Saggiotes of Sullivan Dist. 6, Bennett of Grafton Dist. 6, and Raiche of Hillsboro Dist. 34 — To Education.)

HB 872, providing for the appointment, duties, and limitations of the board of registrars in the city of Concord. (Smith of Merrimack Dist. 24, MacDonald of Merrimack Dist. 25, & Tarr of Merrimack Dist. 28 — To Concord Delegation.)

HB 873, relative to the meetings of the city council of Concord. (Smith of Merrimack Dist. 24, MacDonald of Merrimack Dist. 25, & Tarr of Merrimack Dist. 28 — To Concord Delegation.)

HB 874, relative to counting of absentee ballots in the city of Portsmouth. (Maynard of Rockingham Dist. 24, Coussoule of Rockingham Dist. 28 — To Portsmouth Delegation.)

HB 875, relative to town clerks and town tax collectors. (Roberts of Belknap Dist. 6 — To Municipal & County Government.)

HB 876, imposing a natural resource depletion tax on sand and gravel. (Berkey of Strafford Dist. 11, Tripp of Strafford Dist. 15, & Bednar of Hillsboro Dist. 23 — To Municipal & County Government.)

HB 877, increasing the debt limitation for the Nashua school district. (RULES COMMITTEE for Rep. Wallin of Hillsboro Dist. 14 — To Nashua Delegation.)

HB 878, relative to number and titles of positions and compensation of attachees for the 1971 session of the house of representatives. (Newell of Merrimack Dist. 26 — To Appropriations.)

HJR 69, in favor of Philip and Arlene LaRoe of Plainfield. (RULES COMMITTEE for Rep. Logan of Sullivan Dist. 1 — To Claims, Military & Veterans Affairs.)

### ENROLLED BILLS COMMITTEE REPORT

The Committee on Enrolled Bills have examined and found correctly enrolled the following entitled House Bills, House Joint Resolution and Senate Bills:

HB 17, An Act relative to air rifles.

HB 66, An Act providing for the acquisition of water rights and dam at Sewalls Falls in Concord.

HB 304, An Act relative to the amount of real estate loan and investments of building and loan associations and cooperative banks.

HB 328, An Act relative to approval of bonds of town clerks.

HB 363, An Act repealing the particular statute which exempts from poll taxes persons in military service during World War II.

HB 534, An Act relative to hunting on islands by certain disabled persons.

HB 567, An Act relative to the place and hours of business of tax collectors.

HB 572, An Act relative to the charter of Appleton Academy in New Ipswich.

HB 618, An Act to permit experimentation and pilot programs in bilingual education.

HB 635, An Act authorizing New Hampshire College of Accounting and Commerce to confer bachelor of business science, associate in business science, and honorary degrees.

HJR 1, Joint Resolution in favor of Julie Locke and Herve Pelchat.

SB 26, An Act relative to increasing the per diem allowance for members of the board of parole.

SB 126, An Act allowing all prisoners to be eligible for a reduction in their minimum sentence for meritorious conduct.

SB 127, An Act allowing the reduction of a maximum sentence while on parole.

SB 128, An Act relative to time served by a prisoner upon violation of parole.

SB 144, An Act establishing the state's right to the air space above and below certain highways.

SB 148, An Act to permit free parking for jurors in attendance at the United States District Court.

Roxie A. Forbes  
for the Committee

### Committee of Conference Report

The committee of conference to which was referred House Bill 81, An Act relative to the disposition of the fees of certain bail commissioners, having considered the same report the same with the following recommendations:

That the House recede from its position of nonconcurrence in the Senate amendment and that the Senate recede from its position of adopting its amendments to the bill and that the

House and Senate each adopt the following amendment to the bill.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Disposition of Certain Fees. Amend RSA 597:20 (supp) as amended by 1965, 195:1, by striking out the same and inserting in place thereof the following: 597:20 Fees. The bail commissioners in such cases shall be entitled to a fee of two dollars when called between the hours of nine o'clock in the morning and five o'clock at night, Monday through Friday; and a fee of four dollars when called at any other time. In jurisdictions where the bail commissioner is a full time salaried police officer, constable, sheriff, deputy sheriff, state police employee, or anyone else authorized to execute police powers, the fee collected shall be remitted to the town or city in which the municipal or district court is situated.

2 Effective Date. This act shall take effect sixty days after its passage.

Richard W. Leonard

Russell A. Mason

Conferees on the part of the Senate

Shirley K. Merrill

F. Albert Sewall

Ruth H. Dawson

Conferees on the part of the House

Report adopted.

## ENROLLED BILLS COMMITTEE REPORT

SB 87, relative to terms of superior court for Hillsborough county. Ought to pass with amendment under Joint Rule 15.

## AMENDMENT

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Terms of Hillsborough Superior Court. Amend RSA 496:1 as amended by 1965, 41:1; 1967, 59:1; and 1969, 100:1 by striking out the same and inserting in place thereof the following: 496:1 Time; Place.

I. Terms of the superior court shall be holden annually, at the following places in the following counties:

(a) For the county of Belknap: At Laconia.

(b) For the county of Carroll: At Ossipee.

(c) For the county of Cheshire: At Keene.

(d) For the county of Coos: At Lancaster and Berlin.

(e) For the county of Grafton: At Woodsville in the Town of Haverhill and at Lebanon until such times as a new court house is constructed in Haverhill.

(f) For the county of Hillsborough: At Manchester. Court facilities shall be maintained at Nashua. During each term, sessions shall be held at Nashua for the hearing of nonjury cases and motions.

(g) For the county of Merrimack: At Concord.

(h) For the county of Rockingham: At Exeter.

(i) For the county of Strafford: At Dover.

(j) For the county of Sullivan: At Newport.

II. The times for holding the terms of court at the places designated in each county shall be established by rule of the superior court, which shall provide for the holding of not less than two terms annually in each county.

\* \* \*

The Clerk read the amendment in full.

Amendment adopted by vv.

### SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 304, relative to the amount of real estate loan and investments of building and loan associations and cooperative banks.

HB 328, relative to approval of bonds of town clerks.

HB 470, to amend the charters of Strafford Bank and Cheshire County Savings Bank.

HB 572, relative to the charter of Appleton Academy in New Ipswich.

HB 618, to permit experimentation and pilot programs in bilingual education.

HB 635, authorizing New Hampshire College of Accounting and Commerce to confer bachelor of business science, associate in business science, and honorary degrees.

### FURTHER SENATE MESSAGE

The Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 49, relative to restrictions on acquisition of lands by the state for fish and game propagation and other fish and game purposes.

### AMENDMENT

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Acquisition of Lands for Fish and Game Purposes. Amend RSA 212:8 by striking out said section and inserting in place thereof the following: 212:8 Reasonable Price. The director, with the approval of the governor and council, may pay a fair and reasonable price for waters, lands or rights therein with or without buildings, required for the establishment of fish hatcheries, game farms, game refuges, propagation of fish, game, and fur-bearing animals, for fishing or hunting. The director, subject to the approval of the governor and council, may expend for the purchase of land, waters or rights therein, during any year, such amount as, in his opinion, can be allocated for that purpose. The director shall make a report during the month of January in the years that the legislature is in session of all lands, waters or rights therein so acquired since the last report to the senate president and the speaker of the house.

2 Amend RSA 206:18 by inserting after said section the following new section: 206:18-a Exception. The provisions of section 18 shall not apply to the stocking of any species of fish, for which species there is no open season authorized at the time



of stocking, and which species shall remain continuously protected for at least one year thereafter.

3 Amend RSA by inserting after RSA 9:17-a (supp) the following new section: 9:17-b Fish and Game Limitation. Notwithstanding the provisions of section 16 and 17, no transfers shall be made into the appropriation to the fish and game department for land acquisition.

4 Effective Date. This act shall take effect July 1, 1969.

\* \* \*

The Clerk read the amendment in full.

On motion of Rep. McMeekin the House concurred in the Senate amendment.

#### FURTHER SENATE MESSAGE

The Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 468, relative to compliance with the classification requirements in the Pemigewasset River watershed.

#### AMENDMENT

Amend the bill by striking out section 2.

Further amend the bill by renumbering the original sections 3 and 4 to read 2 and 3 respectively.

The Clerk read the amendment in full.

On motion of Rep. Claflin the House concurred in the Senate amendment.

#### FURTHER SENATE MESSAGE

The Senate concurs with the House of Representatives in the following joint resolution, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HJR 11, in favor of the North Conway fire department for rescue operations.

## AMENDMENT

Amend the resolution by striking out in line one the words "fifteen hundred dollars" and inserting in place thereof the words (five hundred eighteen dollars and twenty-five cents) so that said resolution as amended shall read as follows:

*Whereas*, the North Conway fire department has been called upon to make rescue at the Echo Lake state park, and

*Whereas*, said fire department has not been paid for the expenses thus incurred; now therefore be it

Resolved by the Senate and House of Representatives in General Court convened:

That the sum of five hundred eighteen dollars and twenty-five cents is hereby appropriated to be paid to the North Conway fire department in full settlement for claims for expenses incurred in said rescue operations at Echo Lake state park. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

\* \* \*

The Clerk read the amendment in full.

On motion of Rep. Greenwood the House concurred in the Senate amendment.

(Rep. Stafford in the Chair)

## COMMITTEE REPORTS

**HB 733**

prohibiting set offs by banks when served with trustee process. Inexpedient to legislate. Rep. Charles Cheney for Banks and Insurance.

Resolution adopted by vv.

**HB 418**

providing for a commission to study the state constitution and making an appropriation therefor. Inexpedient to legislate. Rep. Higgins for Constitutional Revision.

Resolution adopted by vv.

**HB 732**

providing for the licensing of certain unordained clergymen to perform marriages. Ought to pass. Rep. Higgins for Constitutional Revision.

Ordered to third reading by vv.

**HJR 55**

establishing an interim commission to study the election laws, with an emphasis on recodification of existing laws and making an appropriation therefor. Inexpedient to legislate. Rep. Higgins for Constitutional Revision.

Resolution adopted by vv.

**HB 624**

eliminating requirement for physical examination if requested by member of New Hampshire retirement system receiving disability allowance. Ought to pass with amendment.

**AMENDMENT**

Amend the title of the bill by striking out the same and inserting in place thereof the following:

**An Act**

to allow the trustees of the retirement system to adjust disability income in the state employees retirement system and in the New Hampshire retirement system.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 New Hampshire Retirement System. Amend RSA 100-A:6, III (b) (supp) as inserted by 1967, 134:1 by striking out in line four and in line six the word "shall" and inserting in place thereof the word (may) so that said subparagraph as amended shall read as follows: (b) If the board of trustees finds that any disability beneficiary is engaged in or is able to engage in a gainful occupation paying more than the difference between his retirement allowance and his average final compensation at retirement, then his state annuity may be reduced to an amount which, together with his member annuity and the amount earnable by him, may equal his average final compensation at retirement. If his earning capacity is later changed, his state annuity may be modified; provided that the new state an-

nunity shall not exceed the amount of the state annuity originally granted nor an amount which, when added to the amount earnable by him, together with his member annuity, equals his average final compensation at retirement.

2 State Employees Retirement System. Amend RSA 100:7, VI by striking out said paragraph and inserting in place thereof the following: VI. If the board of trustees finds that any disability beneficiary is engaged in or is able to engage in a gainful occupation paying more than the difference between his retirement allowance and his average final compensation at retirement, then his state annuity may be reduced to such amount as is just and equitable under all the circumstances. If his earning capacity is later changed, his state annuity may be further modified; provided that the new state annuity shall not exceed the amount of the state annuity originally granted.

3 Effective Date. This act shall take effect sixty days after its passage.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

#### **HB 630**

relative to fishing through the ice for salmon. Inexpedient to legislate. Rep. Huggins for Fish and Game.

At the request of Rep. Claffin, Rep. Robert Drew explained the bill.

Resolution adopted by vv.

#### **HB 676**

relative to the taking of salmon. Inexpedient to legislate. Rep. Huggins for Fish and Game.

Rep. Claffin moved that the words "ought to pass" be substituted for the committee report "inexpedient to legislate" and spoke in favor of the motion, and subsequently withdrew his motion.

Resolution adopted by vv.

#### **HB 701**

relative to fishing limits in Great Bay. Ought to pass with amendment. Rep. Hayes for Fish and Game.

## AMENDMENT

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Seines, Nets and Weirs. Amend RSA 211:48 as amended by 1959, 306:2 by striking out said section and inserting in place thereof the following so that said section as amended shall read as follows: 211:48 Seines, Nets and Weirs. No person shall use a seine or net or weir for the taking of salt water smelt in Great Bay, Little Bay, Piscataqua River, Exeter River, Oyster River, Bellamy River and their tributaries, provided that any person who at any time during the three years immediately preceding the enactment of this act has owned and operated a weir or weirs for taking of salt water smelt in these waters and who files the information hereinafter required with the director, fish and game, within ninety days after enactment of this act, may continue to operate said weir or weirs in the same location or locations and to no greater extent and in no longer size than he has previously operated during that three-year period. The information to be filed as provided herein shall include name and address of the owner and operator of the weir or weirs, the location, length and description of same and such other information as the director, fish and game, may require to establish the facts as to the person's prior ownership and operation and his right to continue to operate. No person shall use or have in use a weir or net for the taking of smelt in the Piscataqua river and its tributaries, easterly of an imaginary line drawn from the easterly end of the Portsmouth and Concord Bridge to Adam's Point in Durham.

Amendment adopted and the bill ordered to third reading by vv.

**HB 710**

relative to ice fishing on Great Bay and its tributaries. Ought to pass with amendment. Rep. Hayes for Fish and Game.

## AMENDMENT

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 License Required, etc. Amend RSA 214:1 as amended by 1955, 22:1 by striking out said section and inserting in place thereof the following so that said section as amended shall read

as follows: 214:1 License Required, etc. No person, except as hereinafter provided, shall at any time fish, hunt, trap, shoot, pursue, take or kill fresh water fish, salt water smelt, wild birds, wild animals, or fish through the ice on Great Bay or its tributaries, in this state, without first procuring a license so to do, and then only in accordance with the terms of such license and subject to all the provisions of this title.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

### **HB 712**

relative to the open season on fisher in Rockingham and Strafford counties. Ought to pass with amendment. Rep. Hayes for Fish and Game.

### **AMENDMENT**

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Open Season. Amend RSA 210:3-a as inserted by 1961, 147:2 and amended by 1963, 154:1 and by 1967, 441:7 by striking out said section and inserting in place thereof the following so that said section as amended shall read as follows: 210:3-a Open Season. There shall be no open season for fisher, except that fisher may be taken and possessed from November first to November thirtieth with the aid of and by the use of dog and gun and/or traps in the counties of Merrimack and Belknap, and from December first to March first in the counties of Strafford, Rockingham and Carroll. Whoever violates the provisions of this section shall be fined not less than ten dollars for the first and not more than fifty dollars for each additional fisher taken and possessed in violation hereof.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

### **HB 741**

authorizing hunters with hunting dogs to post certain highways. Ought to pass. Rep. Huggins for Fish and Game.

Ordered to third reading by vv.



**HB 709**

removing the limitation of recovery by wrongful death.  
Inexpedient to legislate. Rep. Brummer for Judiciary.  
Resolution adopted by vv.

**HB 764**

relative to subversive activities and civil disobedience. Majority: Inexpedient to legislate. Rep. Frizzell for Judiciary. Minority: Ought to pass. Rep. Brungot.

Rep. Brungot moved that the report of the minority, "ought to pass" be substituted for the report of the majority, "inexpedient to legislate" and spoke in favor of the motion.

**PARLIAMENTARY INQUIRY**

Rep. Record rose on a point of parliamentary inquiry.

(Speaker in the Chair)

The Speaker ruled that the motion of Rep. Record that HB 764 be laid on the table could not be entered at this time as there were several more speakers still listed to speak.

**PARLIAMENTARY INQUIRY**

Reps. Frizzell, Zachos and Maloomian rose on a point of parliamentary inquiry.

Rep. Maloomian spoke in favor of the motion, Ought to pass.

Rep. Frizzell moved that HB 764 be indefinitely postponed and spoke in favor of the motion.

Reps. Ormiston, Lambert, Fortin and Antoinette Roy spoke against the motion.

(discussion ensued)

Reps. Shirley, Cares, Wallin, Zachos and O'Neil spoke in favor of the motion.

Rep. Record moved that HB 764 be laid on the table.

Motion to lay on the table lost by vv.

The question now being on the motion to indefinitely postpone HB 764.

Motion adopted by vv.

A division was requested.

213 members having voted in the affirmative and 58 in the negative the motion to indefinitely postpone prevailed.

**HB 547**

abolishing capital punishment except for murder of an officer of the state prison or county house of correction or of a law enforcement officer. Majority: Inexpedient to legislate. Rep. Healy for Judiciary. Minority: Ought to pass with amendment. Reps. Carrier, Frizzell, Wallin, Andrews, Buckman, Theriault and Brungot.

Rep. Martin moved that HB 547 be made a special order for 11:02 Thursday next.

Motion adopted by vv.

**HB 681**

relative to permits for manufacturers of beverages. Inexpedient to legislate. Rep. LaTour for Liquor Laws.

Rep. Enright spoke in favor of the resolution.

Resolution adopted by vv.

**SB 136**

relative to the sale of subdivided land in zoned areas. Ought to pass with amendment. Rep. Randlett for Municipal and County Government.

AMENDMENT

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Subdivision of Land. Amend RSA 36:27 (supp) as amended by 1963, 163:3 by striking out said section and inserting in place thereof the following: 36:27 Penalties for Transferring Lots in Unapproved Subdivisions. Any owner, or agent of the owner, of any land located within a subdivision, who transfers or sells any land, before a plat of the said subdivision has been approved by the planning board and recorded or filed in the office of the appropriate register of deeds shall forfeit and pay a penalty of one hundred dollars for each lot or parcel so transferred or sold; and the transfer or sale of any land within a subdivision, before said subdivision has been approved by

the planning board, shall be null and void; and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties. Said municipality, through its solicitor or other official designated by its council, may enjoin such transfer or sale or agreement and may recover the said penalty by civil action.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

**SB 137**

relative to the submission of plats to planning boards. Ought to pass. Rep. Bednar for Municipal and County Government.

Ordered to third reading by vv.

**HB 503**

providing real estate tax exemptions for certain persons sixty-five years of age or over in the city of Nashua. Ought to pass. Rep. LaPlante for the Nashua Delegation.

Rep. Bouchard moved that HB 503 be laid on the table.

Motion adopted by vv.

**SJR 13**

appropriating additional funds to be used by the division of welfare in the department of health and welfare to provide usual and customary and reasonable cost payments to providers of medical services. Ought to pass. Rep. George Roberts for Appropriations.

Ordered to third reading by vv.

The Speaker called for the special order for 11:01.

**HB 627**

permitting dancing after midnight in public places. Ought to pass. Rep. Sweeney for Liquor Laws.

Rep. deBlois moved that HB 627 be indefinitely postponed and spoke in favor of the motion.

(discussion ensued)

Reps. Sweeney, Mabel Richardson and Bridges spoke against the motion.

Motion lost by vv.

Ordered to third reading by vv.

### HB 638

providing for the construction of a southern New Hampshire turnpike. Ought to pass with amendment. Rep. Mann for Public Works.

### AMENDMENT

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. East-West Toll Road. Amend RSA by inserting after chapter 257-A the following new chapter:

#### Chapter 257-B

#### Southern New Hampshire Turnpike

257-B:1 Authority Granted. The commissioner of public works and highways with the approval of the governor and council, shall locate and construct a continuous highway from a point in the vicinity of the toll plaza on the New Hampshire Turnpike (interstate route 95) running more or less parallel to New Hampshire route 101 connecting with the belt line around Manchester, using such portions of said route 101 that can be incorporated in the continuous highway, to a point in the vicinity of the town of Brattleboro, Vermont, near where New Hampshire route 9 meets the Vermont boundary, and shall operate and maintain said highway as a toll road as hereinafter provided:

I. Upon the determination by independent recognized consultants that the construction and operation of the proposed toll road is economically feasible. The costs of the feasibility study shall be a charge against the separate accounts established by RSA 256:8 and RSA 257:7;

II. Return to the bureau of public roads, federal highway administration, department of transportation, in accordance with federal law, rules and regulations, such federal-aid highway funds that have been used for the reconstruction of said New Hampshire route 101, and reassign such funds for the re-

construction of other highways. State matching funds are established in the funds provided under section 3 of this chapter.

III. Determine the location of the authorized toll road and fix the width of its right of way;

IV. Acquire in the name of the state by purchase or by exercise of the right of condemnation as provided by statute such lands, property, rights, easements and interests as may be deemed necessary for carrying out the provisions of this chapter;

V. Designate the locations and establish, limit and control such points of ingress to and egress from the toll road as may be necessary or desirable to ensure the proper operation of the toll road and to prohibit ingress to or egress from the toll road at any points not so designated;

VI. Permit toll-free use of certain sections of the toll road if it is for the public good;

VII. Construct grade separations at intersections of the toll road with public roads and private ways, and change and adjust the lines and grades of such roads and ways so as to accommodate the same to the design of such grade separations and to the design of the toll road;

VIII. Construct, operate and maintain the toll road within the compact areas of cities and towns;

IX. Grant permits or licenses to any corporation or person to place and maintain along, on, under or within the toll road ducts, pipes, pipelines, poles, wires or other structures, to be so located as not to be unsightly and not to interfere with the safe and convenient operation and maintenance of the toll road and contract with any such corporation or person for such permit or license on such terms and conditions as may be deemed necessary for carrying out the provisions of this chapter. The appearance, construction, maintenance and repairs of any such ducts, pipelines, poles, wires or other structures shall be subject to such directions and regulations as may be imposed;

X. Establish a temporary toll road engineering section for the period of design and construction of the toll road, assign permanent employees of the department of public works and highways to duties and positions in said section and employ such engineers and assistants as may be necessary on a temporary basis for said period of design and construction. The costs of

said toll road engineering section shall be a charge against the funds made available hereunder;

XI. Enter into contractual relations on behalf of the state;

XII. Do and perform all such acts as are necessary for the public good;

XIII. Cause periodic traffic and economic studies to be made of the operation of the aforesaid toll road;

XIV. Make periodic studies of possible extensions or additions to said toll road;

XV. Employ such assistants, engineers or consulting services as may be necessary to carry out the provisions of paragraphs XIII and XIV above. The expense of the said studies shall be a charge upon the funds established under section 5 of this chapter, and upon approval by the legislature, extend said toll road when recommendations of independent recognized consultants indicate that such extensions are economically feasible.

257-B:2 Highway Patrol. The commissioner of public works and highways shall establish a toll road patrol for the maintenance of law enforcement, public safety, collection of tolls and courtesy aid. The policies of such patrol shall be determined jointly by the commissioner of public works and highways and the director of the division of state police, department of safety, and members of the state police may be assigned to such patrol by mutual agreement. Operational control of the portions of said patrol utilized for law enforcement and public safety shall be under the direction of the director of the division of state police, department of safety. Maintenance and operational employees of the department of public works and highways assigned to toll road duties may be given police powers and may be used on said patrol as designated. Costs of the said patrol shall be a charge on the fund established under section 5 of this chapter.

257-B:3 Funds Provided. A sum not exceeding one hundred and fifty million dollars is hereby appropriated as hereinafter provided for the purpose of carrying into effect the provisions of this chapter.

257-B:4 Borrowing Power. The state treasurer is hereby authorized with approval of the governor and council to borrow upon the credit of the state a sum not exceeding one hundred



and fifty million dollars for the purpose of carrying into effect the provisions of this chapter and for that purpose may issue bonds and notes in the name and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-Z; provided, however, that notwithstanding the provision of RSA 6-A, the bonds issued hereunder may have a maturity date of no later than thirty years from the date of issue and may be redeemable before maturity at the option of the governor and council at such price or prices and under such terms and conditions as may be fixed by the governor and council prior to the issuance of the bonds. Such bonds shall contain an express guarantee which shall be deemed a contract on the part of the state that tolls will be collected in accordance with the provisions of this chapter until the date of maturity of said bonds or until sufficient money shall have accumulated to pay said bonds and interest thereon at or prior to the dates of maturity.

257-B:5 Tolls. Tolls or charges, which with the approval of the governor and council, are deemed necessary and reasonable for the use of any part of said highway or any part of the right of way and other property acquired pursuant to the provisions hereof, shall be collected from persons operating motor vehicles thereon or otherwise making use of said right of way. The tolls collected shall be deposited with the state treasurer who shall keep the same in a separate account, and the operating expenses and maintenance of the road shall be paid from said account. From the balance remaining after payment of operation and maintenance, the governor with the approval of the council, shall pay the interest and principal on the bonds issued hereunder. Fourteen days previous to the time said interest and principal is payable, the state treasurer shall examine the existing balance and if such balance is insufficient to make any such payment, then he shall notify the governor who will immediately draw his warrant on the highway fund not to exceed five hundred thousand dollars to cover any deficit and if a deficiency still exists the governor will draw his warrant upon the state's general fund to the amount necessary to meet the payments. The full faith and credit of the state is pledged to the payment of principal of and the interest on the bonds as they become due and payable. Any funds paid out from the state's general fund for the above purposes shall be reimbursed from the collection of tolls as soon as such funds are available. Any funds that have been or may be expended for the completion of

the toll road by the department of public works and highways shall be repaid to said department when, in the opinion of the governor and council, sufficient funds are available. Any excess income may be used for further toll road extensions in accordance with section 1, XV of this chapter. During the construction of the toll road the governor may, if necessary, draw his warrant upon the highway fund to pay interest due on any bonds that have been issued in accordance with the provisions of this chapter; such payment is to be repaid to the highway fund from the collection of tolls.

258-C:6 Definition. Said toll road shall be a limited access highway as defined in RSA 236:1, except that section 8 thereof shall not apply to ducts, pipes, pipelines, poles, wires or other structures permitted under section 1, IX of this chapter or to existing facilities on highways, not now restricted as to access, used as toll-free sections of the toll road.

258-C:7 Contracts for Construction. All contracts for the construction of the highway hereunder shall be awarded to the lowest responsible bidder submitting a sealed bid after an advertisement calling for bids has been published at least once in each of two successive weeks in a newspaper in general circulation in New Hampshire. The first publication of such advertisement shall be not less than fourteen days prior to the date upon which bids are received. Contracts shall be awarded in accordance with RSA 228:4.

2. Effective Date. This act shall take effect sixty days after its passage.

\* \* \*

At the request of Rep. Williamson, Rep. Trowbridge explained the bill as amended.

(discussion ensued)

### PARLIAMENTARY INQUIRY

Rep. Martin rose on a point of parliamentary inquiry.

Rep. Raiche spoke in favor of the bill.

Amendment adopted by vv.

Referred to Appropriations under the Rules.

**HB 778**

providing real estate tax exemptions for persons seventy years of age. Inexpedient to legislate. Rep. Maloomian for Ways and Means.

Rep. Wilfred Boisvert moved that HB 778 be recommitted to Ways and Means and spoke in favor of the motion.

Motion adopted by vv.

**HB 789**

authorizing real estate exemptions for certain elderly persons. Ought to pass with amendment. Rep. Maloomian for Ways and Means.

**AMENDMENT**

Amend RSA 72:39 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

72:39 Exemption to Persons Sixty-Five. Residential real estate, as defined in section 29, which has an equalized value of less than seventeen thousand, five hundred dollars shall be exempt from taxation to the equalized value of five thousand dollars if it is owned by a person or persons:

I. One of whom is sixty-five years of age or over, or one of whom will become sixty-five years of age in the calendar year in which the exemption is claimed; and

II. Who have paid taxes on their residential real estate located in the town or city where the exemption is claimed for not less than ten years; and

III. Whose income, or combined income if owned by more than one person, from all sources during the preceding calendar year, is less than four thousand dollars; and

IV. Whose net assets of all kinds, including real estate, bank accounts and other personal property, do not exceed twenty-five thousand dollars in fair market value.

Amend RSA 72:40 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

72:40 — Widow or Widower. The tax exemption granted

in section 39 shall be granted to the widow or widower of a person receiving said exemption if said widow or widower is sixty-five years of age or over and had an income from all sources for the preceding calendar year of less than four thousand dollars, and if said widow's or widower's net assets of all kinds, including real estate, bank accounts and other personal property, do not exceed twenty-five thousand dollars in fair market value.

\* \* \*

Rep. Schwaner moved that HB 789 be laid on the table.

Motion lost by vv.

At the request of Rep. Martin, Rep. Ratoff explained the bill.

(discussion ensued)

Amendment adopted and the bill ordered to third reading by vv.

Rep. Claflin moved that HB 722, relative to the zoning power of towns and cities, be taken from the table.

Motion adopted by vv.

#### **HB 722**

relative to the zoning power of towns and cities.

Ordered to third reading by vv.

\* \* \*

Rep. Claflin moved that the Rules of the House be so far suspended as to dispense with printing and two days' notice in the Journal of Resolution on Resources, Recreation and Development Committee procedures as printed on Page 2048 in the Journal of May 8.

(discussion ensued)

At the request of Rep. Merrill, Rep. Urie further explained the resolution.

Motion adopted by vv.

## RECONSIDERATION

Rep. Newell, having voted with the majority, moved that the House reconsider its action whereby it passed SB 54, establishing a legislative study committee, and spoke in favor of the motion.

Motion lost by vv.

\* \* \*

Rep. Maynard moved that HB 478, increasing the salary of the Rockingham county attorney be taken from the table, and that it be recommitted to the Rockingham County Delegation for further study, and spoke in favor of the motion.

Motion adopted by vv.

\* \* \*

The Speaker called for the bills placed on the calendar under Rule 56.

Rep. Healy moved that HB 545, relative to the salary of the register of deeds for Hillsborough County, be made a special order for 11:03 Thursday next.

Motion adopted by vv.

Reps. Morrill and Zachos moved that HB 546, relative to organized time trials for motor vehicles on certain public highways, HB 565, requiring that under the access to public records statute the record of decisions made in executive session on certain matters be promptly opened to public inspection, and HB 566, providing, that under the access to public records statute, certain executive sessions must be open to the public, be made a special order for 11:01 Tuesday next.

Motion adopted by vv.

SENATE MESSAGE, INTRODUCTION OF SENATE  
BILL AND REFERRAL:

SB 262, legalizing the annual town meeting held in the town of Brentwood on March 11, and March 17, 1969, was read a first and second time and referred to Statutory Revision.

## PARLIAMENTARY INQUIRY

Rep. Elmer Johnson rose on a point of parliamentary inquiry regarding pairs.

The Speaker outlined House Rules on pairing for a roll call vote.

\* \* \*

The Speaker announced that the flowers on the podium were from Mrs. Junkins, wife of Rep. Junkins of Exeter.

\* \* \*

On motion of Rep. Stafford the House adjourned from the early session and the Rules of the House were so far suspended as to permit the reading of bills by title only, Joint Resolutions by caption only, and that when the House adjourns today it be to meet tomorrow at 11:00 o'clock.

\* \* \*

Rep. Stafford announced that Rep. Shirley Clark is celebrating her birthday today.

\* \* \*

LATE SESSION  
THIRD READINGS

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 732, providing for the licensing of certain unordained clergymen to perform marriages.

(Rep. Stafford in the Chair)

HB 624, to allow the trustees of the retirement system to adjust disability income in the state employees retirement system and in the New Hampshire Retirement system.

HB 701, relative to fishing limits in Great Bay.

HB 710, relative to ice fishing on Great Bay and its tributaries.



HB 712, relative to the open season on fisher in Rockingham and Strafford counties.

HB 741, authorizing hunters with hunting dogs to post certain highways.

HB 627, permitting dancing after midnight in public places.

### RECONSIDERATION

Rep. Sweeney, having voted with the majority, moved that the House reconsider its action whereby it passed HB 627 and spoke against the motion.

Motion lost by vv.

### THIRD READINGS CONTINUED

HB 789, authorizing real estate exemptions for certain elderly persons.

HB 722, relative to the zoning power of towns and cities.

\* \* \*

The following Senate Bill and SJR were read a third time, passed, and sent to the Secretary of State to be enrolled:

SB 137, relative to the submission of plats to planning boards.

SJR 13, appropriating additional funds to be used by the division of welfare in the department of health and welfare to provide usual and customary and reasonable cost payments to providers of medical services.

\* \* \*

SB 136, relative to the sale of subdivided land in zoned areas, was read a third time, passed, and sent to the Senate for concurrence in the House amendment.

On motion of Rep. Shirley Clark the House adjourned at 2:48 P. M.

*Wednesday, May 14, 1969*

The House met at 11:00 o'clock.

Prayer was offered by House Chaplain William L. Shafer of Chichester as follows:

Eternal God, our Father, of whose creation we are a part, by whose providence we live, and in whose love we abide — in the practical pursuits of our daily lives. O God, may we find wisdom to undertake the responsibilities committed to our care. As we venture into new paths and walk an unknown way, may Thy Light guide us and Thy Love encircle us. Grant unto us great capacity of response to Thy Love, and help us to open our hearts to Thy Grace. Stimulate our minds to think deeply, that we may learn the meaning and significance of life. Create in us a right spirit toward our fellows as we seek the common good in our deliberations today. Use us, O God, to deliver this world from its poverty, its rampant and its hidden evils, from ignorance, from injustices, from tyrannies and wars. Keep us true to the spirit of Christ and help us to build our lives upon His example of Truth. Amen.

#### PLEDGE OF ALLEGIANCE TO THE FLAG

Rep. Sherman led the House in the Pledge of Allegiance to the Flag.

#### LEAVES OF ABSENCE

Rep. Prescott was granted leave of absence for the day on account of a death in the family.

Rep. Buker was granted leave of absence for today and tomorrow on account of a death in the family.

Rep. Cox was granted indefinite leave of absence on account of illness.

#### RESOLUTION

Rep. Logan offered the following resolution:

*Resolved*, that in accordance with the list in the possession of the clerk, House Bills numbered 879 through 903 and House Joint Resolution numbered 70 shall be by this resolution read

a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

\* \* \*

Resolution adopted by vv.

## INTRODUCTION OF BILLS

The following bills and HJR were read a first and second time, laid on the table for printing and referred as follows:

HB 879, to establish a wildlife management area in the town of Moultonboro named the Kona Wildlife Area (RULES COMMITTEE for Rep. Davis of Carroll Dist. 5 — To Appropriations.)

HB 880, to revise the charter of the city of Rochester by eliminating reference to the salaries of the mayor and councilmen. (Berkey of Strafford Dist. 11 — To Rochester Delegation.)

HB 881, to require the election of certain school board members at annual town meetings. (O'Hara of Coos Dist. 5 — To Municipal & County Government.)

HB 882, providing compensation for election services of certain town clerks to unincorporated places. (Logan of Sullivan Dist. 1 — To Municipal & County Government.)

HB 883, to permit the purchase of uninsured motorist insurance coverage with limits equal to liability insurance coverage. (Nixon of Hillsboro Dist. 5 — To Banks & Insurance.)

HB 884, providing for water pollution protection action. (Watson of Hillsboro Dist. 25 — To Resources, Recreation & Development.)

HB 885, relative to sale prices as an indication of value in property tax evaluation. (Fortin of Hillsboro Dist. 9 — To Ways & Means.)

HB 886, relative to fishing with nets in coastal areas. (Greene of Rockingham Dist. 22 — To Fish & Game.)

HB 887, relative to proof of age by the use of liquor commission identification cards. (Murphy of Strafford Dist. 18 — To Liquor Laws.)

HB 888, relative to disclosure of certain information con-

cerning students at the state university. (Murphy of Strafford Dist. 18 — To Education.)

HB 889, to establish a speed limit on U.S. Route 4 at the Madbury Road intersection. (Murphy of Strafford Dist. 18 — To Transportation.)

HB 890, relative to chiefs of police. (Stafford of Belknap Dist. 12 — To Judiciary.)

HB 891, relative to the practice of law before district courts. (Johnson of Grafton Dist. 9 — To Judiciary.)

HB 892, to provide a system whereby customers will be polled for toll-free service. (Roberts of Belknap Dist. 6 — To Constitutional Revision.)

HB 893, to provide more efficient and less expensive communication within municipal boundaries. (Roberts of Belknap Dist. 6 — To Municipal & County Government.)

HB 894, to require towns to provide tax maps. (Roberts of Belknap Dist. 6 — To Municipal & County Government.)

HB 895, relative to the blind. (Fuller of Merrimack Dist. 26, Bednar of Hillsboro Dist. 23 — To Public Health.)

HB 896, amending the Claremont city charter to allow for popular election of the mayor and assistant mayor. (D'Amante of Sullivan Dist. 5 — To Claremont Delegation.)

HB 897, allowing a twelve year old to obtain a license to operate a snow traveling vehicle. (Bridges of Hillsboro Dist. 13 — To Judiciary.)

HB 898, relative to fire insurance rates in zones protected under mutual assistance agreements. (Greene of Rockingham Dist. 22 — To Banks & Insurance.)

HB 899, legalizing proceedings at the annual meeting and at the adjourned meeting of the Rye School District held in the town of Rye on March 8, 1969 and on March 12, 1968 respectively. (RULES COMMITTEE for Rep. Greene & Hammond of Rockingham Dist. 22 — To Statutory Revision.)

HB 900, relative to interest rates for the higher education loan program. (Johnson of Grafton Dist. 9 — To Education.)

HB 901, relative to the protection of credit card holders. (Bednar of Hillsboro Dist. 23 — To Judiciary.)

HB 902, establishing an exemption from property taxes for certain persons over sixty-five years of age. (Welch of Merrimack Dist. 27, Sayer of Rockingham Dist. 7 — To Ways & Means.)

HB 903, relating to clinical laboratories and the practice of medical technology and making an appropriation therefor. (RULES COMMITTEE FOR Rep. Raiche of Hillsboro Dist. 34 — To Executive Departments & Administration.)

HJR 70, directing a study of timber cutting. (Sterling of Hillsboro Dist. 2 — To Resources, Recreation & Development.)

\* \* \*

Rep. Greenwood moved that the order whereby HB 853, relative to payment of claims of aircraft accidents was referred to Claims, Military and Veterans Affairs be vacated and it be referred to Banks and Insurance.

\* \* \*

Rep. Greene moved that the order whereby HJR 64, directing the department of education to make a study of the use of its facilities and staff for the education of handicapped persons, HJR 67, directing the University of New Hampshire to conduct a study to determine the feasibility of developing a department for training teachers, therapists and counselors of handicapped persons, and HB 797, relative to compensation of vocational rehabilitation counselors in the department of education, were referred to Education be vacated and be referred to Labor, Human Resources and Rehabilitation.

### SENATE MESSAGE

The Senate has been served notice of reconsideration on the following Senate Bills passed to the House of Representatives and requests their return to the Senate.

SB 44, to increase the minimum coverage of motor vehicle liability insurance. (Sen. Bradshaw)

SB 51, to require medical payment provisions in automobile liability insurance policies. (Sen. Armstrong)

## FURTHER SENATE MESSAGE

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 416, relative to salaries of Hillsborough county sheriff and deputy sheriffs.

HB 481, increasing the salaries of the Hillsborough county commissioners.

HB 485, increasing the salary of the Belknap county attorney.

HB 489, increasing the salary of the Coos county treasurer.

HB 657, increasing the size of claims subject to the jurisdiction of small claims court.

HB 204, relative to justifiable and non-commercial private dissemination of obscene matter.

HB 294, constituting the Lincoln District Court.

## FURTHER SENATE MESSAGE

The Senate refuses to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

HB 491, establishing the Rye District Court. Sent to Judicial Council.

HB 246, to discontinue terms of superior court at Nashua.

## FURTHER SENATE MESSAGE

The Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 81, relative to the disposition of the fees of certain bail commissioners.

## FURTHER SENATE MESSAGE

The Senate has voted to adopt the amendments offered by the Committee on Enrolled Bills, to the following House Bill:



HB 470, to amend the charters of Strafford Savings Bank and Cheshire County Savings Bank.

#### FURTHER SENATE MESSAGE, INTRODUCTION OF SENATE BILLS AND REFERRAL

SB 40, to provide for the licensing of plumbers and the regulation of plumbing. Public Health.

SB 167, prohibiting the exposure of harmful materials to certain minors. Judiciary.

SB 181, removing debts incurred by a housing authority from the statutory limitations placed on debts of municipalities. Municipal & County Government.

SB 223, to allow the court to appoint a guardian ad litem to protect the interest of children in divorce and separation proceedings. Judiciary.

#### COMMITTEE REPORTS

##### HB 766

to authorize cooperative banks, savings and loan associations, building and loan associations, federal savings and loan associations and savings banks to merge or consolidate with one another. Ought to pass with amendment. Rep. Levesque for Banks and Insurance.

#### AMENDMENT

Amend the title of the bill by striking out the same and inserting in place thereof the following:

#### AN ACT

to authorize cooperative banks, savings and loan associations, building and loan associations, federal savings and loan associations and mutual savings banks to merge or consolidate with one another.  
paragraph as amended shall read as follows:

Amend the initial numbered paragraph of RSA 393:35 as inserted by section 1 of the bill by inserting in line two after the words "associations and" the word (mutual) so that said

393:55 Power to Merge or Consolidate. Cooperative banks, savings and loan associations, building and loan associations

and mutual savings banks organized under the laws of this state may merge or consolidate with one another and transfer their engagements, funds and property to one another with the written approval and upon the terms prescribed by the bank commissioner, pursuant to the procedure as follows:

Amend RSA 393:55, III, as inserted by section 1 of the bill by inserting in line one after the word "or" the word (mutual) so that said paragraph as amended shall read as follows:

III. The reorganized cooperative bank, association or mutual savings bank shall be liable for all obligations existing prior to such merger or consolidation and may retain and service all accounts lawfully held by it on the date of such consolidation or merger.

Amend RSA 393:55-a as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

393:55-a Power to Merge: Federal Savings and Loan Associations. Cooperative banks, savings and loan associations, building and loan associations and mutual savings banks organized under the laws of this state may merge or consolidate with federal savings and loan associations upon compliance with the applicable provisions of this chapter and federal savings and loan associations may merge or consolidate with such state associations; however, a federal savings and loan association in the action taken by it shall be subject to and governed by the limitations and requirements imposed by the laws of the United States which will also govern the rights of its dissenting stockholders.

\* \* \*

Amendment adopted and the bill ordered to third reading by vv.

#### **CA-CR 14**

relating to the power of the state to tax providing that the Legislature be allowed to impose taxes that are not proportional. Inexpedient to legislate. Rep. Russell Chase for Constitutional Revision.

Rep. Radway moved that CA-CR 14 be made a special order for 11:02 Tuesday next.

Motion lost by vv.

Rep. Raiche moved that CA-CR 14 be made a special order for 11:03 Wednesday next and spoke in favor of the motion.

Motion adopted by vv.

\* \* \*

The Speaker announced that the bills listed below have been submitted to the sponsors and have been approved by them but the sponsors have directed the Office of Legislative Services not to introduce them.

Pursuant to the provisions of a resolution adopted by the House on May 8, 1969, unless these bills are approved by the sponsors for introduction by 5:00 p.m., Thursday, May 15, 1969, they shall become null and void and may not be introduced except by permission of the Rules Committee.

Note: Bills are Legislative Services Request Number not House Bill Numbers.

9, Repealing requirement of proof of ownership of motor vehicles to obtain municipal permit. (Morrill, Rockingham 7).

619, Requiring the division of parks to keep plowed certain state parks and access areas to be used for winter parking. (Welch, Merrimack 27).

736, Relative to preparation of budget for University of New Hampshire. (Lawton, Belknap 2).

1448, Amending the Manchester city charter by providing for a personnel advisory board. (Belanger, Hillsborough 36).

1455, Relative to state owned land used for educational purposes. (Williamson, Sullivan 9).

1456, House Resolution to urge the Congress to amend and the Attorney General to test the Gun Control Act of 1968. (Lawton, Belknap 2).

1686, Relative to reciprocal registration of pharmacists. (Ratoff, Rockingham 20).

\* \* \*

## COMMITTEE REPORTS CONTINUED

### HB 564

relative to the open season for taking of wild deer. Ma-

jority: Inexpedient to legislate. Rep. Drew for Fish and Game. Minority: Ought to pass. Reps. Chamberlin, Huggins and Hayes.

The reports were accepted.

Reps. Hayes, Huggins and Hunt spoke in favor of the minority report.

Rep. Chamberlin moved that the words "ought to pass" be substituted for the majority report "inexpedient to legislate" and spoke in favor of the motion.

Reps. Merrifield and Trowbridge spoke in favor of the motion.

(discussion ensued)

Rep. O'Neil spoke against the motion.

Rep. Wilfred Boisvert moved the previous question and it was sufficiently seconded.

The question being, shall the main question now be put.

Motion adopted by vv.

The question now being on the motion to substitute the words "ought to pass" for the majority report, "inexpedient to legislate."

Motion lost by vv.

The question now being on the committee report, inexpedient to legislate.

Resolution adopted by vv.

#### **HB 669**

relative to dividing the state for two separate deer hunting seasons. Inexpedient to legislate. Rep. Hayes for Fish and Game.

Resolution adopted by vv.

#### **HB 685**

relative to the taking time of wild deer. Majority: Ought to pass. Rep. Maynard for Fish and Game. Minority: Inexpedient to legislate.

The reports were accepted.

Rep. Hayes moved that HB 685 be indefinitely postponed and spoke in favor of the motion.









